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Friday  
April 22, 1983

Estimated  
Total  
17568

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## Selected Subjects

### **Acreage Allotments**

Agricultural Stabilization and Conservation Service

### **Administrative Practice and Procedure**

Federal Grain Inspection Service

### **Animal Drugs**

Food and Drug Administration

### **Coal Mining**

Surface Mining Reclamation and Enforcement Office

### **Excise Taxes**

Internal Revenue Service

### **Fisheries**

National Oceanic and Atmospheric Administration

### **Food Additives**

Food and Drug Administration

### **Foreign Officials**

Defense Department

### **Government Procurement**

Postal Service

### **Government Property Management**

General Services Administration

### **Grain**

Federal Grain Inspection Service

### **Labeling**

Federal Trade Commission

### **Marketing Agreements**

Agricultural Marketing Service

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Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

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### Milk Marketing Orders

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### National Parks

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### Reporting and Recordkeeping Requirements

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# Rules and Regulations

Federal Register

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

## DEPARTMENT OF AGRICULTURE

### Federal Grain Inspection Service

#### 7 CFR Part 57

#### United States Standards for Hay and Straw

**AGENCY:** Federal Grain Inspection Service <sup>1</sup> USDA.

**ACTION:** Final rule.

**SUMMARY:** In accordance with the requirements established in Executive Order 12291 for the periodic review of regulations, the Federal Grain Inspection Service (FGIS) has reviewed the United States Standards for Hay and Straw and has determined that no substantive changes are to be made to these standards. In the May 26, 1981 issue of the *Federal Register* (46 FR 28170), FGIS proposed no change to the United States Standards for Hay and Straw. Based upon all information available including the comments received regarding the hay standards, this final rule makes no substantive changes to the standards as were proposed, except that certain nonsubstantive organizational and reference changes are being made to update the standards.

**EFFECTIVE DATE:** May 23, 1983.

**FOR FURTHER INFORMATION CONTACT:** Lewis Lebakken, Jr., Regulations and Directives management, USDA, FGIS, Room 0667 South Building, 1400 Independence Avenue, SW., Washington, D.C. 20250, telephone (202) 382-1738.

<sup>1</sup> Authority to exercise the functions of the Secretary of Agriculture contained in the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621-1627) concerning inspection and standardization activities related to grain and similar commodities and products thereof, has been delegated to the Administrator, Federal Grain Inspection Service (7 U.S.C. 75a; 7 CFR 68.2(e)).

**SUPPLEMENTARY INFORMATION:** The U.S. Standards for Hay and Straw were established under the authority of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 *et seq.*; the Act). Pursuant to Section 203(c) of the Act (7 U.S.C. 1622(c)), the Administrator is authorized to develop and improve standards for all assigned agricultural commodities.

#### Executive Order 12291

This final rule has been issued in conformance with Executive Order 12291 and Secretary's Memorandum 1512-1. The action has been classified as nonmajor because it does not meet the criteria for a major regulation established in the Order.

#### Regulatory Flexibility Act Certification

Kenneth A. Gilles, Administrator, FGIS, has determined that this final rule will not have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because most users of hay and straw inspection services do not meet the requirement for small entities as defined in the Act.

#### Standards Review

In compliance with the requirements for the periodic review of existing regulations, FGIS reviewed the U.S. Standards for Hay and the U.S. Standards for Straw. This review included a determination of the continued need for the standards; a review of changes in marketing factors and functions affecting the standards; and a review of changes in technology and economic conditions in the area affected by the standards. The objective was to assure that the standards continued to serve the needs of the market to the greatest extent.

In the December 28, 1979, *Federal Register* (44 FR 76835) a notice requested comments regarding nine proposed grain standardization studies, one of which proposed studying the possible inclusion of objective testing procedures into the hay standards to provide information on the nutrient constituents in hay. Forty-seven comments were received which addressed the need to revise the hay standards. Thirty comments indicated opposition to any revision of the standards while seventeen comments indicated the hay standards should be

revised to include objective testing of factors which denote nutrient content.

Many of the commenters who opposed a hay standards revision stated that the inclusion of objective factors in the standards would adversely affect the hay marketing system. It was noted that the use of objective testing procedures in the hay standards would, at that time, be too costly and time-consuming to benefit the hay industry.

The commenters who indicated the hay standards should be revised emphasized the value of analyzing hay for nutrient content when marketing and using hay. It was noted that inclusion of objective factors into the standards would assist in pricing hay according to its feed value and would provide information which could be used to balance a feed ration for livestock.

Based upon those comments received and other information available, FGIS did go forward with the hay standards study. After reviewing all information available including the comments received on the hay standards study, FGIS proposed in a May 26, 1981, *Federal Register* Notice (46 FR 28170) that no changes be made to the hay and straw standards. Eleven comments were received on this proposal. Ten comments opposed the proposal and indicated the hay standards should be revised. One commenter concurred with the proposal to make no changes to the hay standards. No specific comments were received on the straw standards.

The commenters who opposed the proposal indicated the hay standards should be revised to provide information on nutrient content which can be used to price hay and balance a feed ration. Many of these commenters previously commented on the proposed 1979 study. It was also stated that the absence of uniform analysis testing procedures had caused marketing problems in some areas where unofficial quality analysis was being used to market hay, and a revision of the hay standards was necessary to provide uniformity in determination of nutrient content. These areas are limited however.

The commenter who concurred with the proposal to make no changes to the hay and straw standards stated that the inclusion of objective testing procedures into the hay standards would introduce complicated measurements into the hay marketing system which could raise the price of hay.

Although the use of objective testing procedures to measure the nutrient constituents in hay is gaining acceptance in some limited hay marketing areas, opinions vary within the hay industry and research community on which factors and testing methods most accurately denote nutrient quality. Also, hay analysis by near infrared reflectance (NIR) instrumentation, which is the testing method preferred by most hay industry members, is still under evaluation by researchers. FGIS recognizes that various hay industry members may be presently experiencing some marketing problems as a result of nonuniform unofficial analysis procedures between members of the industry but this appears to be minimal at this time. Further, the hay standards should not be revised to permit official determination of objective factors without further industry support or prior to completion of research on analysis testing. At the present time there is no reliable testing procedure that would indicate nutrient constituents which could be included in the standards. Accordingly, no substantive changes are to be made to the U.S. Standards for Hay and Straw.

FGIS will monitor research programs related to hay and straw quality determination, including the development of acceptable correlations between NIR values and approved reference methods. Industry contacts will also be maintained to monitor changes in hay and straw marketing, especially changes related to marketing through the use of quality analysis.

The U.S. Standards for Hay and Straw will again be proposed for review in April, 1988; however, if deemed necessary the standards could be reviewed sooner if rapid and accurate testing methods are developed which would make the inclusion of objective testing procedures into the hay standards beneficial to the marketing system.

Nevertheless, nonsubstantive amendments to references in certain sections of the U.S. Standards for Hay and Straw are being made to reflect changes in organizational structure and responsibility and changes in title of FGIS handbooks.

#### List of Subjects in 7 CFR Part 57

Hay, Straw, and Export.

#### PART 57—[AMENDED]

Accordingly, nonsubstantive organizational and reference changes are being made in Subpart A, § 57.1(e), § 57.1(i) Note, § 57.2(a)(6) and (b)(2), § 57.12(a) Note, and Subpart B,

§ 57.51(a)(2) by removing the words "Grain Division, Consumer and Marketing Service" and inserting in their place the words "Federal Grain Inspection Service." Also, Subpart A, § 57.2(b)(4) is amended by removing the words "Service and Regulatory Announcement No. 147 (revised August 1941) issued by the Agricultural Marketing Service" and inserting in their place the words "Instructions published by the Federal Grain Inspection Service."

(Sec. 203 (c), (h), Pub. L. 79-733, 60 Stat. 1087 (c), (h), (7 U.S.C. 1622 (c), (h)))

Dated: April 8, 1983.

K. A. Gilles,  
Administrator.

[FR Doc. 83-10800 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-EN-M

#### 7 CFR Part 800

##### Regulation Review—Deceptive Practices

**AGENCY:** Federal Grain Inspection Service, USDA.

**ACTION:** Final rule, regulation review.

**SUMMARY:** The Federal Grain Inspection Service (FGIS or Service) is adopting without change as a final rule its proposed rule on Deceptive Practices published in the *Federal Register* on January 17, 1983 (48 FR 1979). This action amends the regulation on Deceptive Practices by substituting the term "agency" or "official agency", thereby clarifying that the regulation is applicable to delegated States as well as designated agencies and the Service.

**EFFECTIVE DATE:** May 23, 1983.

**FOR FURTHER INFORMATION CONTACT:** Lewis Lebakken, Jr., Regulations and Directives Management, USDA, FGIS, Room 0667 South Building, 14th Street and Independence Avenue, SW., Washington, D.C. 20250, telephone (202) 382-1738.

##### SUPPLEMENTARY INFORMATION:

Information collection requirements contained in this regulation (section 800.60) have been approved by the Office of Management and Budget under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB #0580-0006.

#### Executive Order 12291

This final rule has been issued in conformance with Executive Order 12291 and Secretary's Memorandum 1512-1. The action has been classified as nonmajor, because it does not meet the criteria for a major regulation established in the Order.

#### Regulatory Flexibility Act Certification

Kenneth A. Gilles, Administrator, FGIS, has determined that this final rule will not have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because most users of the inspection and weighing services do not meet the requirements for small entities, and this action poses no new or additional duties or obligations to business entities involved in the loading, weighing, handling, or sampling of grain.

#### Review of Regulation

The review of the regulation on Deceptive Practices included a determination of the continued need for and consequences of the regulation. An objective was to assure that the language of the regulation is clear and that the regulation is consistent with FGIS policy. FGIS determined that the regulation: is serving the best interest of the U.S. grain industry; affords protection from deceptive practices to buyers and sellers of U.S. grain; is consistent with FGIS policy; and should remain in effect. However, in the January 17, 1983, *Federal Register* (48 FR 1979), FGIS proposed to amend this regulation by substituting the term "agency" for "official agency," thereby clarifying that the regulation is applicable to delegated States as well as designated agencies and the Service. It was originally intended that delegated States would be subject to this provision. Strictly interpreted, the definition for official agency in § 800.0(b)(48) excludes delegated States. Agency is defined in § 800.0(b)(3) as a delegated State or a designated agency, as appropriate. FGIS received no comments to the proposed rule which allowed 60 days for public comment.

#### List of Subjects in 7 CFR Part 800

Administrative practice and procedure, Export, Grain.

#### PART 800—[AMENDED]

Accordingly, § 800.60 is revised by substituting the term "agency" for "official agency," to read as follows:

##### § 800.60 Deceptive actions and practices.

In the absence of prior adequate notice to appropriate official personnel, any action or practice, including the loading, weighing, handling, or sampling of grain that knowingly causes or is an attempt to cause the issuance by official personnel of a false or incorrect official certificate or other official form, is deemed to be deceptive and, as such, is

a violation of Section 13(a)(3) of the Act. For the purposes of this paragraph, adequate notice is written or oral notice given to an agency or the Service, as applicable, before official personnel begin to perform official inspection or weighing services. If oral notice is given, it must be confirmed in writing within 2 business days. To be adequate, the notice must explain the nature and extent of the action or practice in question and must identify the grain, stowage container, equipment, facility, and the official personnel actually or potentially involved.

(Sec. 15, 18, Pub. L. 94-582, 90 Stat. 2883, 2884; (7 U.S.C. 87b, 87(e)).

Dated: April 11, 1983.

K. A. Gilles,  
Administrator.

[FR Doc. 83-10801 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-EN-M

## Agricultural Marketing Service

### 7 CFR Part 910

(Lemon Reg. 408)

#### Lemons Grown in California and Arizona; Limitation of Handling

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes the quantity of fresh California-Arizona lemons that may be shipped to market during the period April 24-30, 1983. Such action is needed to provide for orderly marketing of fresh lemons for the period due to the marketing situation confronting the lemon industry.

**EFFECTIVE DATE:** April 24, 1983.

**FOR FURTHER INFORMATION CONTACT:** William J. Doyle, Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202-447-5975.

**SUPPLEMENTARY INFORMATION:** This final rule has been reviewed under Secretary's Memorandum 1512-1 and Executive Order 12291, and has been designated a "non-major" rule. William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small entities. This action is designed to promote orderly marketing of the California-Arizona lemon crop for the benefit of producers, and will not substantially affect costs for the directly regulated handlers.

This final rule is issued under Marketing Order No. 910, as amended (7 CFR Part 910; 47 FR 50196), regulating the handling of lemons grown in

California and Arizona. The order is effective under the Agricultural Agreement Act of 1937, as amended (7 U.S.C. 601-674). The action is based upon recommendations and information submitted by the Lemon Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1982-83. The marketing policy was recommended by the committee following discussion at a public meeting on July 6, 1982. The committee met again publicly on April 19, 1983, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified week. The committee reports the demand for lemons is good.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the *Federal Register* (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared purposes of the act.

Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

#### List of Subjects in 7 CFR Part 910

Marketing agreements and orders, California, Arizona, Lemons.

#### PART 910—[AMENDED]

Section 910.708 is added as follows:

##### § 910.708 Lemon Regulation 408.

The quantity of lemons grown in California and Arizona which may be handled during the period April 24, 1983, through April 30, 1983, is established at 285,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 21, 1983.

D. S. Kuryloski,  
Director, Fruit and Vegetable Division,  
Agricultural Marketing Service.

[FR Doc. 83-10805 Filed 4-21-83; 1:11 pm]

BILLING CODE 3410-02-M

## 7 CFR Part 1124

### Milk in the Oregon-Washington Marketing Area; Order Suspending Certain Provisions

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Suspension of rule.

**SUMMARY:** This action continues through August 1983 a previous suspension of certain provisions of the Oregon-Washington Federal milk order. The suspension removes the limit on the amount of milk not needed for fluid (bottling) use that may be moved directly from farms to nonpool manufacturing plants and still be priced under the order. The continuation of the earlier suspension for January through April 1983 is made pending the completion of a hearing proceeding that was convened on February 15, 1983. One of the proposals considered at the hearing covered this issue. Based on available information concerning the market's current supply conditions, continuation of the suspension is necessary to accommodate the efficient and orderly disposition of reserve milk supplies that are available to the market.

**EFFECTIVE DATE:** April 22, 1983.

**FOR FURTHER INFORMATION CONTACT:** Martin Dunn, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-7311.

**SUPPLEMENTARY INFORMATION:** This action has been reviewed under USDA procedures established to implement Executive Order 12291 and has been classified as a "non-major" action.

It has been determined that the need for suspending certain provisions of the order on an emergency basis precludes following certain review procedures set forth in Executive Order 12291. Such procedures would require that this document be submitted for review to the Office of Management and Budget at least 10 days prior to its publication in the *Federal Register*. However, this would not permit the issuance of the suspension in time to include May 1983 in the suspension period. The request for this action was received on April 11, 1983.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that the action would not have a significant economic impact on a substantial number of small entities. This action lessens the regulatory impact of the order on certain milk handlers and would tend to ensure that dairy farmers will continue to have

their milk priced under the order and thereby receive the benefits that accrue from such pricing.

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and of the order regulating the handling of milk in the Oregon-Washington marketing area.

After considering all relevant information, it is hereby found and determined that for the months of May through August 1983, the following provisions of the order do not tend to effectuate the declared policy of the Act:

In the third sentence of paragraphs (a) and (b) of § 1124.11, the word "not".

#### Statement of Consideration

This action continues through August 1983 a similar suspension for January through April 1983 (47 FR 58216). The suspension removes the limit on the amount of producer milk that a cooperative association or other handlers may divert from pool plants to nonpool plants. The order now provides that during any month a cooperative association may divert a total quantity of producer milk not in excess of the total quantity received during the month from all member producers at pool plants. Similarly, the operator of a pool plant may divert a total quantity of producer milk not in excess of the total quantity received from producers (for which the operator of such plant is the handler during the month) at such pool plant.

A continuation of the suspension is needed because a continuing increase in milk supplies relative to Class I sales may require cooperatives to handle an increasing quantity of reserve milk supplies during the May-August 1983 period. These marketing conditions, and a proposal to amend the order to accommodate them, were considered at a public hearing at Portland, Oregon, on February 15, 1983. Participants at the hearing requested that the suspension be continued pending the completion of the proceeding. The request was reiterated on April 11, 1983.

Based on available information concerning the market's supply conditions, a continuation of the suspension for the months of May through August 1983 is warranted. The suspension will accommodate the pooling and efficient handling of milk supplies for the market pending the completion of the hearing proceeding cited above. In the absence of continuing the suspension, costly and inefficient movements of producer milk

have to be made solely for the purpose of pooling the milk of dairy farmers who have been regularly associated with the market. Continuation of the suspension for the period of May through August 1983 will provide the necessary flexibility in the handling of the market's reserve milk supplies and thus prevent uneconomic movements of some milk through pool plants merely for the purpose of qualifying it for producer milk status under the order.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that the most efficient method of handling milk not needed for the fluid market is by direct movements from producers' farms to manufacturing outlets. This suspension allows for such economical movements of milk while the dairy farmers involved retain producer status;

(b) The suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) This suspension has been in effect since January 1983 and this action would continue such suspension pending amendatory procedures based on a public hearing held February 15, 1983.

Therefore, good cause exists for making this order effective upon publication in the Federal Register.

#### List of Subjects in 7 CFR Part 1124

Milk marketing order, Milk, Dairy products.

#### PART 1124—[AMENDED]

*It is therefore ordered,* That the aforesaid provisions in § 1124.11 (a) and (b) of the order are hereby suspended for May through August 1983.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Effective date: Upon publication of this document in the Federal Register.

Signed at Washington, D.C., on April 17, 1983.

John Ford,

Deputy Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 83-10724 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-02-M

#### Commodity Credit Corporation

##### 7 CFR Part 1446

#### General Regulations Governing 1979 and Subsequent Crops Peanut Warehouse Storage Loans and Handler Operations; Correction

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule; correction.

**SUMMARY:** This document corrects a section number contained in final regulations for the 1979 and Subsequent Crops Peanut Warehouse Storage Loans and Handler Operations which were published September 10, 1981 (46 FR 45114).

**FOR FURTHER INFORMATION CONTACT:** David Kincannon (ASCS), 202-382-0154.

**SUPPLEMENTARY INFORMATION:** At 46 FR 45114, September 10, 1981, former § 1446.15, Disposition and Liquidated Damages on Segregation 3 Peanuts (published at 44 FR 33829, June 13, 1979) was redesignated as § 1446.16. However, § 1446.16, Producer Transfers of Additional Loan Stocks to Quota Pools, was not redesignated as § 1446.17. As a result, two section headings were designated as § 1446.16.

#### PART 1446—[CORRECTED]

Accordingly, the Commodity Credit Corporation is correcting the title of 7 CFR 1446.16, Producer Transfers of Additional Loan Stocks to Quota Pools, to read as follows:

§ 1446.17 Producer transfers of additional loan stocks to quota pools.

\* \* \* \* \*

C. Hoke Leggett,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 83-10810 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-05-M

#### FEDERAL RESERVE SYSTEM

##### 12 CFR Part 204

[Docket No. R-0459]

#### Regulation D; Reserve Requirements of Depository Institutions; Reporting Requirements

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

**SUMMARY:** The Board of Governors adopted in final form amendments to Regulation D—Reserve Requirements of Depository Institutions (12 CFR Part 204)



to reduce substantially the amount of reporting required from most depository institutions that have total reservable liabilities of \$2.1 million or less. Such institutions generally will be required to submit either a six item report each calendar quarter, a two item report once each year, or no report at all, depending upon their total deposit levels. Currently, these institutions that have not previously been deferred from reporting requirements submit a report of at least 22 items either weekly or quarterly. The Board proposed this rule for public comment on March 10, 1983. Comments from the public generally favored adoption of the rule and the reporting procedures in the form proposed. The final rule is substantially identical to the proposed rule.

**EFFECTIVE DATE:** April 28, 1983.

**FOR FURTHER INFORMATION CONTACT:** Gilbert T. Schwartz, Associate General Counsel (202/452-3625); Paul S. Pilecki, Senior Counsel (202/452-3281); or Robert G. Ballen, Attorney (202/452-3265), Legal Division; or Cynthia A. Glassman, Section Chief (202/452-3829), Division of Research and Statistics; Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

**SUPPLEMENTARY INFORMATION:** Section 102 of the Monetary Control Act (Title I of Pub. L. 96-221) ("MCA") authorizes the Board to require reports from any depository institution as the Board may deem necessary or desirable to discharge its responsibility to monitor and control monetary and credit aggregates. In this regard, the Board is permitted to classify depository institutions and impose different reporting requirements on each class (section 11(a) of the Federal Reserve Act, 12 U.S.C. 248(a)).

Section 411 of the Garn-St Germain Depository Institutions Act of 1982 (Pub. L. 97-320; 96 Stat. 1520) ("Act"), which was approved on October 15, 1982, provides that a reserve requirement of zero percent shall apply to reservable liabilities of \$2 million or less for each depository institution. The Act also requires that, consistent with the Board's responsibility to monitor and control monetary and credit aggregates, depository institutions with reservable liabilities of \$2 million or less are to be subject to less overall reporting requirements than depository institutions that have total reservable liabilities greater than \$2 million. The Board also is required to minimize the reporting necessary to determine whether depository institutions have total reservable liabilities of \$2 million or less. This \$2 million exemption

amount is to be adjusted each year for the next succeeding calendar year by 80 per cent of the percentage increase in the total reservable liabilities of all depository institutions, measured on an annual basis as of June 30. No corresponding adjustment is to be made in the event of a decrease in total reservable liabilities of all depository institutions (12 U.S.C. 461(b)(11)). The Board has adjusted this \$2 million figure to \$2.1 million for 1983 in accordance with the Act.

The Board, on March 10, 1983, proposed for public comment a reporting plan that would reduce substantially the reporting required from most depository institutions that have total reservable liabilities of \$2.1 million or less (48 FR 10796; March 14, 1983). Under current Regulation D, depository institutions that have not been deferred from deposit reporting and reserve maintenance requirements<sup>1</sup> submit a 22 item report (Report on Transaction Accounts, Other Deposits and Vault Cash—FR 2900) and a supplement to that report (FR 2900s) either quarterly (if total deposits are less than \$15 million) or weekly (if total deposits are \$15 million or more) (12 CFR 204.3 (a) and (d)).<sup>2</sup> Under the Board's proposal, a depository institution with total reservable liabilities of \$2.1 million or less,<sup>3</sup> with certain exceptions, would be required to submit either a six item report quarterly, a two item report annually, or no report at all, depending upon its level of total deposits.

The Board received a total of 58 comments from the public, primarily from depository institutions and their trade groups. A substantial proportion (over 70 percent) of the comments expressed support for the Board's proposal without suggestion for modification. Many of these commenters noted that significant cost savings would result from implementation of the proposal. The remaining commenters generally supported the proposal but suggested certain modifications, including: reducing reporting requirements for certain depository institutions with more than \$2.1 million in total reservable liabilities; exempting

depository institutions with less than \$2 million in reservable liabilities from all reporting requirements; raising the cutoff level of \$15 million in total deposits between weekly, quarterly, and annual reporters to a higher amount such as \$25 or \$50 million, or eliminating the limit entirely; and making the ongoing adjustments of reporting categories more frequently than once per year.

These suggestions raise issues concerning whether reporting frequency would be sufficient to determine compliance by individual institutions with reserve requirements and whether the Board would be receiving adequate information to monitor and control the monetary aggregates. For example, it was suggested that annual reporting could apply to certain depository institutions with more than \$2.1 million in reservable liabilities. However, since such institutions are not exempt from reserve requirements, the reporting of additional information from institutions with more than \$2.1 million in reservable liabilities is necessary to assure compliance with reserve requirements. Similarly, without occasional reporting from institutions whose total deposits have approached or are above \$2 million, the Federal Reserve would be unable to determine whether or not an institution's level of reservable liabilities remains at or below \$2.1 million, thereby maintaining its status as fully exempt from reserve requirements and could allow a number of institutions that should be maintaining reserves to avoid reserve requirements. In addition, since many depository institutions with less than \$2.1 million in reservable liabilities have far in excess of that amount of total deposits, an exemption from reporting for such institutions would impair to an unacceptable extent the quality of information obtained for monetary policy purposes.

With respect to raising other cutoff levels between annual, quarterly and weekly reporters, the Board notes that these amounts had been subject to extensive review and believes that the cutoffs are appropriate in view of the need for information for monetary policy purposes. However, the Board will review periodically the various cutoff levels taking into account experience with the reporting procedures regarding reporting burden versus monetary policy considerations.

Several suggestions were made concerning possible modifications to the procedures for ongoing panel adjustments for more frequent ongoing category adjustments so that aberrations on reporting dates would

<sup>1</sup> The Board previously had deferred most nonmember depository institutions, other than Edge and Agreement Corporations and U.S. branches and agencies of foreign banks, with less than \$2 million in total deposits as of December 31, 1979, from deposit reporting and reserve maintenance requirements.

<sup>2</sup> Any institution that obtains funds from foreign sources or that has foreign branches must also submit a five item Report of Certain Eurocurrency Transactions (FR 2950/FR 2951).

<sup>3</sup> This \$2.1 million amount will be adjusted annually in accordance with section 411 of the Garn-St Germain Act.

not lock the depository institution into a reporting category that may not reflect its actual deposit history. The Board believes that more frequent panel monitoring than proposed would greatly complicate panel maintenance and would likely lead to errors in measuring the monetary aggregates. The Board notes that panel maintenance procedures also will be reviewed in the future to determine if any institutions had been disadvantaged and consider whether any modifications are appropriate.

After consideration of the comments received, the Board has determined that the plan as proposed for public comment represents the appropriate balance between reducing reporting requirements for smaller depository institutions and obtaining sufficient information to ensure compliance with reserve requirements and to adequately construct, analyze, and control the monetary aggregates. Accordingly, the Board has adopted the reporting plan proposed for public comment as a final rule.

**Reporting categories.** The following five categories of reporting will be instituted: First, depository institutions with more than \$2.1 million in total reservable liabilities and \$15 million or more in total deposits will be required to submit form FR 2900 weekly, as under current procedures.<sup>4</sup> Second, institutions with more than \$2.1 million in total reservable liabilities and less than \$15 million in total deposits will be required to submit form FR 2900 quarterly. Third, institutions with \$2.1 million or less in total reservable liabilities and \$15 million or more in total deposits will be required to submit a six item report FR 2910q quarterly. All institutions that are required to report quarterly (either form FR 2900 or FR 2910q) shall file this report once each June, September, December, and March for the seven day period that begins on the third Thursday of the given month.<sup>5</sup> Fourth, institutions with \$2.1 million or less in total reservable liabilities and \$2 million or more but less than \$15 million in total deposits will be required to submit a two item report (FR 2910a) annually. These institutions are to file this report as of a single day in June that corresponds to the last day of the seven day period for quarterly reporters. Fifth, institutions with less than \$2 million in total deposits will not be required to

submit any report if their total deposits or estimates thereof can be derived by the Federal Reserve from existing available sources of data such as Reports of Condition filed with a federal supervisory agency or reports filed with state regulators.<sup>6</sup> Once a year (including 1983), a depository institution may elect to report deposits and maintain reserves—as of the relevant reporting date in September—in accordance with any category requiring a more comprehensive form or the same form filed on a more frequent basis than required of the category in which the institution would otherwise be placed.

Institutions with \$2.1 million or less in reservable liabilities that are not required to file the FR 2900 will not be required to submit a Report of Certain Eurocurrency Transactions (FR 2950). However, all institutions required to file the FR 2900 will continue to report Eurocurrency liabilities as under current procedures.

**Initial determination of applicable category.** Reserve Banks will determine the initial placement of institutions in the appropriate categories and so inform the institutions. The determinations will be made as follows: For an institution currently filing the FR 2900 weekly, if the institution's total reservable liabilities are more than \$2.1 million for any one of the last 13 reserve computation periods of 1982, that institution will continue to submit the FR 2900, either weekly or quarterly, depending on the largest level of total deposits reported during these same 13 weeks. If an institution's total reservable liabilities are \$2.1 million or less for each of these 13 weeks, the applicable reporting category (FR 2910q, FR 2910a, or no report at all) will be determined based upon the institution's largest level of total deposits reported during these same 13 computation periods. For an institution currently filing the FR 2900 quarterly, if the institution's total reservable liabilities are more than \$2.1 million on either of the last two reports filed in 1982, then the institution must continue to submit the FR 2900. For purposes of determining quarterly or weekly FR 2900 reporting for an institution currently filing the FR 2900 quarterly, total deposits are based on the largest of the institution's last two deposit reports of 1982. If the institution's total reservable liabilities are \$2.1 million or less for each of these two reports, the applicable reporting

category also will be determined based upon the institution's largest report of total deposits for the last two deposit reports of 1982.

Depository institutions that currently report the FR 2900, but that did not begin reporting until after December 29, 1982, will be treated as follows: For such institutions currently reporting the FR 2900 on a quarterly basis, the procedures for the initial placement of quarterly FR 2900 reporters will be used; however, the particular category into which the institution will be placed will be based upon the institution's daily average total reservable liabilities and total deposits as reported on its one quarterly FR 2900 report submitted in 1983 (i.e. in January, February, or March). For any such institution currently reporting the FR 2900 on a weekly basis, the procedures for the initial placement of weekly FR 2900 reporters will be used; however, the particular category into which the institution will be placed will be based upon the institution's daily average total reservable liabilities and total deposits as reported for each week during 1983 for which the institution submitted the FR 2900.

For depository institutions that currently do not file the FR 2900 weekly or quarterly, the applicable category will be determined from information derived from Reports of Condition submitted to federal supervisory agencies. If no such reports are available, this information will be derived from other sources such as reports filed with state regulators. If the requisite information cannot be derived from any such sources, then the institution will be expected to submit in June 1983 the FR 2910a or FR 2910q as appropriate. The appropriate category for the institution will then be determined from the submitted report.

Institutions with \$2.1 million or less in reservable liabilities that currently submit the FR 2900 weekly or quarterly will continue to report under current procedures through the week ending April 27, 1983, at which time they will be relieved of reporting under current procedures. All institutions will begin reporting under the new procedures as of the appropriate reporting date for the institution's category in June 1983 as described above.

**Ongoing category adjustment.** The Reserve Banks will determine the placement of institutions in the appropriate category and so inform the institutions. Movement to another category on an ongoing basis, beginning in 1984, will be determined as follows: An institution submitting the FR 2900 weekly will move to another category if,

<sup>4</sup> At the same time, the FR 2900 will be revised to incorporate items from the supplement (FR 2900s). The supplement will then be discontinued.

<sup>5</sup> After the implementation of contemporaneous reserve requirements on February 2, 1984, this seven day computation period will begin on the third Tuesday of the given month.

<sup>6</sup> A special filing of the FR 2910a would be required of institutions for which no data sources exist, and therefore whose deposit sizes are unknown. If they report less than \$2 million in total deposits, they need not report reservable liabilities.

on the 13 reports ending the last full reporting week of June of a given year, the institution qualified for a different category under criteria described above for initial determinations. This institution will continue to submit the FR 2900 on a weekly basis until the reporting period that begins on the second or third Tuesday in September of that year depending on which is the first week of a reserve computation period under contemporaneous reserve requirements. An institution filing the FR 2900 quarterly or the FR 2910q will move to another category if on the two reports submitted as of March and June of a given year the institution qualified for a different category under the criteria described above for initial determinations. An institution submitting the FR 2910a will move to another category if on the June report of a given year the institution qualified for a different category. Institutions not reporting previously may be asked to submit the FR 2910a for the first time as of that June in order to determine their appropriate reporting category. In all circumstances, the Board may require any depository institution that is experiencing above-normal growth to report on the FR 2900 weekly prior to the annual determination of reporting status.

An institution that is reclassified into the category requiring the FR 2900 on a weekly basis will submit the FR 2900 weekly starting with the weekly reporting period that begins on the second or third Tuesday in September depending on which is the first week of a computation period under contemporaneous reserve requirements. An institution that is reclassified into a category requiring quarterly reports—either the FR 2900 on a quarterly basis or the FR 2910q—will submit the appropriate quarterly report starting with the September reporting date. An institution that is reclassified (on the basis of information through June) into the category requiring the FR 2910a annual report will submit the FR 2910a as of June of the following year.

*Exception to the revised reporting procedures.* The reporting procedures described above will not apply to Edge and Agreement Corporations and U.S. branches and agencies of foreign banks. These institutions will continue to report weekly as under current procedures. The continuation of the present reporting procedures for these institutions is consistent with the Board's responsibility to monitor and control monetary and credit aggregates in view of the nature of the liabilities of these institutions and the opportunities

available to these institutions for the avoidance of reserve requirements. The Board also noted its broad supervisory authority over, including the authority to obtain reports from, Edge and Agreement Corporations pursuant to 12 U.S.C. 601 *et seq.* and 611 *et seq.* and the specification in the International Banking Act of 1978 that U.S. branches and agencies be subject to the same reporting requirements as similarly situated member banks (12 U.S.C. 3105(a)). In this regard, U.S. branches and agencies, as parts of much larger institutions, should be viewed as similarly situated to large member banks that are required to report weekly under the proposal.

The reduced reporting requirements will not apply before February 2, 1984, to those member banks and former member banks that are subject to reserve requirements pursuant to the reserve requirement structure in effect prior to the passage of the Monetary Control Act of 1980 ("MCA"). These institutions will continue to report under current procedures even if they hold reservable liabilities of \$2.1 million or less until the completion of the phase-in of reserve requirements of the MCA (currently scheduled for February 2, 1984), at which time the revised reporting requirements will be applied. Member banks and former member banks with \$2.1 million or less in reservable liabilities are required under the MCA to maintain reserve requirements until completion of this phase-in (12 U.S.C. 461(b)(8)). The information that these institutions currently are reporting is necessary to continue to calculate these reserve requirements and to administer properly the phase-in of reserve requirements mandated by the MCA.

*Effect on prior amendments and small entities.* The Board is amending Regulation D to provide that depository institutions will report in accordance with the procedures described above. These procedures will remain in effect after the October 5, 1982 amendments to implement contemporaneous reserve requirements become effective on February 2, 1984.

The impact of these procedures on small entities has been considered in accordance with section 604 of the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 604). As described above, these procedures will reduce significantly the recordkeeping and reporting requirements imposed upon small depository institutions. The Board estimates that these procedures will reduce the net reporting burden of

depository institutions by approximately 600,000 hours.

These amendments are being made effective in less than 30 days because they relieve a restriction by providing for a reduced reporting burden for depository institutions.

#### List of Subjects in 12 CFR Part 204

Banks, banking, Currency, Federal Reserve System, Penalties, Reporting requirements.

Pursuant to its authority under sections 11(a), 19, 25, and 25(a) of the Federal Reserve Act (12 U.S.C. 248(a), 461, 601 *et seq.*, 611 *et seq.*) and under section 7 of the International Banking Act of 1978 (12 U.S.C. 3105), the Board amends § 204.3 of Regulation D (12 CFR Part 204), effective April 28, 1983, as follows:

#### PART 204—[AMENDED]

1. By amending § 204.3(c) by removing the first sentence, "*Computation of required reserves.*", and inserting in its place, "*Computation of required reserves for institutions that report on a weekly basis.*"; and by revising the introductory text of paragraph (a) and paragraph (d) (in its entirety) as set forth below.

#### § 204.3 Computation and maintenance.

(a) *Maintenance of required reserves.* A depository institution, a U.S. branch or agency of a foreign bank, and an Edge or Agreement Corporation shall maintain reserves against its deposits and Eurocurrency liabilities in accordance with the procedures prescribed in this section and § 204.4 and the ratios prescribed in § 204.9. Penalties shall be assessed for deficiencies in required reserves in accordance with the provisions of § 204.7. Every depository institution, U.S. branch or agency of a foreign bank, and Edge or Agreement Corporation shall file reports of deposits in accordance with the instructions of the Board, based on the level of its deposits and reservable liabilities consistent with the Board's need for data to carry out its responsibility to monitor and control monetary and credit aggregates. For purposes of this part, the obligations of a majority owned (50% or more) U.S. subsidiary (except an Edge or Agreement Corporation) of a depository institution shall be regarded as obligations of the parent depository institution.

(d) *Computation of required reserves for institutions that report on a quarterly basis.* For a depository

institution that is permitted to report quarterly, required reserves are computed on the basis of the depository institution's daily average deposit balances during a seven-day computation period that begins on the third Thursday of March, June, September, and December. In determining the reserve balance that such a depository institution is required to maintain with the Federal Reserve, the average daily vault cash held during the computation period is deducted from the amount of the institution's required reserves. The reserve balance that is required to be maintained with the Federal Reserve shall be maintained during a corresponding period that begins on the fourth Thursday following the end of the institution's computation period and ends on the third Wednesday after the close of the institution's next computation period. Such reserve balance shall be maintained in the amount required on a daily average basis during each week of the quarterly reserve maintenance period.

\* \* \* \* \*

2. The Board also amends § 204.3(c), published at 47 FR 44707, October 12, 1982, to become effective February 2, 1984, by removing the first sentence, "*Computation of required reserves.*", and inserting in its place, "*Computation of required reserves for institutions that report on a weekly basis.*"; and by revising § 204.3(d), also published at 47 FR 44707, to become effective February 2, 1984, as set forth below:

\* \* \* \* \*

(d) *Computation of required reserves for institutions that report on a quarterly basis.* For a depository institution that is permitted to report quarterly, required reserves are computed on the basis of the depository institution's daily average deposit balances during a seven-day computation period that begins on the third Tuesday of March, June, September, and December. In determining the reserve balance that such a depository institution is required to maintain with the Federal Reserve, the daily average vault cash held during the computation period is deducted from the amount of the institution's required reserves. The reserve balance that is required to be maintained with the Federal Reserve shall be maintained during a corresponding period that begins on the fourth Thursday following the end of the institution's computation period and ends on the fourth Wednesday after the close of the institution's next computation period.

By order of the Board of Governors, April 19, 1983.

William W. Wiles,  
Secretary of the Board.

[FR Doc. 83-10827 Filed 4-21-83; 8:45 am]

BILLING CODE 6210-01-M

## FEDERAL TRADE COMMISSION

### 16 CFR Part 13

[Docket No. 9128]

#### Ethyl Corp., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

**SUMMARY:** This final order requires the nation's two leading producers of lead-based antiknock gasoline additives, among other things, to cease announcing price changes in advance of the period contractually required for advance notice to customers, and using a "most-favored-nation" clause in any contract for the sale or delivery of lead-based antiknock compounds. Further, when stating a delivered price for any lead-based antiknock compound, the companies must also quote the product's point of origin price, a separate price for shipment, and allow customers to arrange for their own shipping and delivery. While the order does not prohibit the companies when acting individually from selecting their own customers, establishing their own prices, and selling at a delivered price or point of origin in good faith to meet the equally low price of a competitor, it does not exempt the companies' pricing practices from antitrust law.

**DATES:** Complaint issued May 30, 1979. Final Order issued March 22, 1983.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:** FTC/CS-3, Thomas Keary, Washington, D.C. 20580. (202) 724-1278.

**SUPPLEMENTARY INFORMATION:** In the Matter of Ethyl Corporation, a corporation, E.I. Du Pont de Nemours and Company, a corporation, PPG Industries, Inc., a corporation, and Nalco Chemical Company, a corporation. The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13 are as follows: Subpart—Aiding, Assisting and Abetting Unfair or Unlawful Act or Practice: § 13.290 Aiding, assisting and abetting unfair or unlawful act or practice. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective

<sup>1</sup> Copies of the Complaint, Initial Decision, and Opinion of the Commission filed with the original document.

actions and/or requirements; 13.533-65 Renegotiation and/or amendment of contracts.

### List of Subjects in 16 CFR Part 13

Gasoline additives, Trade practices.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

The Final Order, including further order requiring report of compliance therewith, is as follows:

[Docket No. 9128]

In the matter of Ethyl Corporation, a corporation, E. I. duPont de Nemours & Company, a corporation, PPG Industries, Inc., a corporation, and Nalco Chemical Company, a corporation.

### Final Order

This matter, having been heard by the Commission upon the appeal of respondents and complaint counsel from the Initial Decision and upon briefs and oral argument, and the Commission for the reasons stated in the accompanying Opinion having determined to deny the appeal of respondents and complaint counsel,

It is ordered that the Initial Decision of the administrative law judge be adopted as Findings of Fact and Conclusions of Law except to the extent inconsistent with the accompanying Opinion. Other Findings of Fact and Conclusions of Law of the Commission are contained in the accompanying Opinion. Pending motions are dismissed or otherwise resolved as provided in the Opinion.

It is further ordered that the following Order to Cease and Desist is hereby entered.

### Order

I

### Definitions

For the purpose of this Order, the following definitions shall apply:

A. "Lead-based antiknock compound" means additives to gasoline which increase its octane rating and which contain tetraethyl or tetramethyl lead.

B. "Delivered price" means a single undivided price inclusive of product and transportation charges.

C. "Point of origin price" means a price set by a respondent for a purchase by a customer at a mill or distribution point from which a delivered price is quoted to that customer. The point of origin price shall be no greater than the delivered price offered to the customer less the actual transportation costs which would have been incurred by the seller if the sale were made on a delivered basis.

D. "Customer" means any actual or potential purchaser of a lead-based antiknock compound.

E. "Most favored nation agreement" means any contractual provision or understanding that requires, or potentially requires, a price paid by one purchaser of lead-based antiknock compound be offered to one or more other purchasers of the seller.

F. "Respondents" shall mean Ethyl Corporation and E.I. DuPont de Nemours and Company, their successors and assigns, and their officers, agents, representatives and employees, acting directly or indirectly, through any corporation, subsidiary, division or other device, individually or in combination.

## II

It is ordered that respondents, in connection with the sale or distribution of lead-based antiknock compound in the United States, shall forthwith cease and desist from:

A. Publishing, distributing or communicating in any manner notice to any person outside the company, other than persons under contract in connection with marketing or sales, concerning any change or modification in the list price of lead-based antiknock compound in advance of the period contractually required for advance notice to customers.

B. Entering into a contract for the sale or delivery of lead-based antiknock compound with any customer containing a most favored nation agreement; or maintaining or complying with a most favored nation agreement in any contract for the sale or delivery of lead-based antiknock compound.

*Provided*, that nothing in subpart A above, shall be construed to prohibit any respondent from (1) conveying to an actual or potential customer the information necessary to respond in good faith to a request to bid on or engage in negotiations regarding the purchase of any lead-based antiknock compound; (2) contracting to sell any lead-based antiknock compound at a price determined pursuant to such bid or negotiation which is effective on a specified future date subject to neither contingency nor condition; or (3) conveying information in compliance with any order, or in connection with participation in any proceeding, of a court, legislative body or administrative agency.

## III

It is further ordered that whenever a respondent offers a delivered price to a customer for the purchase of lead-based antiknock compound, said respondent

shall offer the customer the option of a point of origin price at the respondent's production facility from which shipment is to be made, and at the option of any actual or potential customer:

A. Allow any customer to arrange or furnish transportation for any purchased lead-based antiknock compound from the respondent's production facilities; or

B. Offer a separately-stated price for transportation furnished or arranged by the respondent.

## IV

It is further ordered that each respondent, individually, shall forthwith make its lead-based antiknock compound sales contracts and other agreements consistent with this Order.

## V

It is further ordered that nothing contained in this Order shall be interpreted as prohibiting a respondent when acting individually, (1) from establishing the price at which, and selecting the customers to which, it shall sell; or (2) from selling at a point of origin or delivered price established in good faith to meet the equally low price of a competitor. No pricing practice engaged in by a respondent shall be deemed immune or exempt from the antitrust laws by reason of anything contained in this Order.

## VI

It is further ordered that each respondent shall forthwith deliver a copy of this Order to all present and (for a period of ten years from the entry of this Order) future personnel, agents and representatives of respondents having sales, distribution or policy responsibilities regarding lead-based antiknock compound, and each respondent shall forward a copy of this Order to each of its purchasers during the past twelve months of any lead-based antiknock compound in the United States.

## VII

It is further ordered that each respondent notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of this Order.

## VIII

It is further ordered that each respondent shall, within sixty (60) days

after service upon it of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this Order and such additional reports thereafter as the Commission may require.

By the Commission, Chairman Miller dissenting. Commissioner Douglas did not participate.

Issued: March 22, 1983.

Emily H. Rock,  
Secretary.

## DISSENTING STATEMENT OF CHAIRMAN JAMES C. MILLER III IN ETHYL CORP., ET AL.

[FTC Docket No. 9128]

Today the Commission embarks on a bold new adventure to the frontiers of antitrust law, clearing no path for those who follow, and leaving no signposts to guide the inexperienced traveler. I fear that such a journey is fraught with peril for both explorers and for those required by law to follow the trails we blaze. I therefore decline to join the majority, and hope that the future provides a compass to guide our way along the uncharted path the Commission pioneers.

The Commission's decision creates a new antitrust case of action that, while construed by the majority to be limited to the Commission's enforcement of Section 5 of the FTC Act, may nonetheless alter radically the scope of permissible business practices available to firms in so-called oligopolistic industries. Because I fear the implications of today's decision are potentially both far-reaching and harmful to competition, I must respectfully dissent. And, because of the many troubling aspects of the majority's lengthy opinion, I feel further compelled to abandon the cardinal virtue of civilized dissenters—brevity.

## I. Introduction and Summary

In essence, the majority holds today that practices adopted unilaterally by individual firms in an oligopolistic industry may constitute "unfair methods of competition" in violation of Section 5 if such practices "facilitate" interdependent behavior among the oligopolists, even absent any collusive, monopolistic, or predatory conduct. (Maj. Op. at 3 28-29.)<sup>1</sup> In applying this new legal standard, the majority finds that all four U.S. producers of lead-based antiknock compounds ("antiknocks") have violated the antitrust laws by adopting—at different periods of time and for legitimate business reasons—differing combinations of three so-called "facilitating" practices. Specifically, the majority finds all four respondents—DuPont, Ethyl, PPG, and Nalco—liable under Section 5 for use of uniform delivered pricing.

<sup>1</sup> The following abbreviations are used in this opinion:

Maj. Op.—Majority Slip Opinion  
ID—Initial Decision Page Number  
IDF—Initial Decision Finding Number  
Tr.—Transcript of Testimony Page Number  
RDX—Respondent Dupont's Exhibit Number

(*Id.* at 2-3, 91-92, 101-02.) In addition, DuPont and Ethyl are also found to have violated Section 5 by using advance notice of price increases and "most-favored-nation" contract clauses ("MFN clauses"), which require the seller to offer a lower price to all buyers if it is offered to any. (*Id.* at 3, 91-92.)

Employing what it terms a "rule of reason" approach (*Id.* at 28.), the majority finds that the four respondents—which account for 100 percent of U.S. antiknock sales—have violated the "spirit" of Sherman Act Section 1's prohibition of conspiracies in restraint of trade, as enforced by the Commission through Section 5 of the FTC Act. They are held liable even though no agreement—explicit or implicit—was alleged or proven. Rather, the unilateral adoption by each respondent of one or more of the challenged practices is found to be an unfair method of competition under Section 5. The legal standard proposed as a basis for this finding of liability is that Section 5 empowers the Commission to find that practices, which otherwise may be lawful in and of themselves, may, when used at the same time by members of an oligopoly, facilitate a kind of interdependent behavior that leads to the anticompetitive result the framers of the Sherman and FTC Act sought to prevent.

In dissenting from the Commission's decision in this matter, I do not necessarily reject the general concept underlying the new cause of action created by the majority. At the outset of our review of this matter, I did not reject the idea that it may be both prudent antitrust policy and within the scope of this Commission's legal authority to establish an antitrust rule of law governing "facilitating practices" within an oligopoly. I envisioned such a rule as condemning "lock-step", long-term use by all members of an oligopoly of uniform practices that had no legitimate business reasons, and that could be proven to reduce the overall level of competition by facilitating reductions in industry output of a truly homogeneous product—reductions that could not be remedied either by an existing industry renegade, or by a destabilizing new entrant. While such a rule would face both formidable theoretical hurdles and practical problems of proof, the concept nevertheless seemed a plausible one.

The Commission's experience in deciding the instant matter has, however, served to heighten considerably my skepticism about the theoretical bases and practical utility of such a legal theory. Both the legal standard adopted by the majority and the manner of its application to the record evidence here cause me to question whether antitrust prosecutors and adjudicators are sufficiently sophisticated to surmount the obstacles presented by such a theory. Simply put, can the Commission generate more benefits by invoking the theory correctly than the mischief it can create by applying it erroneously?

I need not reach this difficult question today. Rather, laying my skepticism aside and accepting the theoretical possibility that, as the majority contends, the "collusive result" can occur in the absence of collusion, I would nevertheless reject a finding of liability for any of the respondents in this

proceeding. I would do so because: (1) the particular legal standard established by the majority may itself be anticompetitive and contrary to the goals of the FTC and Sherman Acts; (2) that standard is too vague and unpredictable to serve as an understandable guide to businesses that must follow it; and (3) the majority has applied its own standard incorrectly to the facts in this record.

Before explaining further the basis for my dissent, several preliminary points bear mentioning. First, I concur in the majority's conclusion that respondents' (now-discontinued) use of press releases announcing future price increases does not violate Section 5. (Maj.Op. at 3, 85-88.) Second, while the majority merely "declines to adopt" the ALJ's conclusion of law (at ID 167.) that the remaining three challenged practices are unlawful as "unfair acts or practices" within the meaning of Section 5 (Maj.Op. at 3, 31.), I see no reason to pause there. I would go further and reverse the ALJ's gratuitous conclusion on this point. Although this alternative "unfairness" cause of action was (regrettably) pleaded in the Commission's 1979 Complaint (§14), this case seems to me clearly to be an antitrust challenge focusing upon alleged harm to competition, not a consumer protection matter concerned with injury to individual consumers.

## II. The Majority's Standard May Be Anticompetitive

The majority's standard may itself be anticompetitive because its focus is too narrow. It fails to capture the essence of a dynamic, competitive market. By focusing on price competition only—and almost exclusively on list-price competition—it ignores the most important elements of competitive rivalry in this and many other American industries. By finding successful entrants liable for using practices that buyers demand, the standard discourages entry into oligopolistic industries. By focusing on a period in which any incentive to expand and earn additional market share was severely constrained by government controls, the standard fails to allow a meaningful test of its inferences and ignores the historical bases for the challenged practices. By focusing solely on the motives and behavior of respondents, it ignores the important influences of their customers, themselves potential entrants via backward vertical integration.

### A. The Standard Ignores Non-Price Competition

A standard that focuses exclusively on price competition may be harmful because it ignores other forms of competition that buyers value and that can shape a competitive result. For many years now, many economists have rejected the narrow view that only prices should matter in assessing competition. As Joseph Schumpeter said more than three decades ago:

Economists are at long last emerging from the stage in which price competition was all they saw. As soon as quality competition and sales effort are admitted into the sacred

precincts of theory, the price variable is ousted from its dominant position.<sup>2</sup>

The record here strongly indicates that in the antiknock industry the dominant form of competition is, in fact, along non-price dimensions. These include especially the provision of services related to the safe handling and the safe and efficient use of highly toxic and explosive liquid compounds in the production of high-octane leaded gasoline. Specifically, the ALJ found that safety services are provided because of the "explosive and toxic nature" of the product. (IDF 91.) In addition, complaint counsel's economist expert testified that some of those services are "almost an inevitable part of the [antiknock] product." (IDF 210.) One of the respondents attributed a 35 percent sales gain to ten important customers in 1975 to services it had rendered that year. (IDF 98.) Moreover, there is evidence that the leading firms "literally buried" their customers with services. (IDF 90; see also IDFs 91, 99, 102, and 151.) Further, the ALJ found that "the furnishing of services played a significant role in the competitive rivalry between the antiknock suppliers" (IDF 151.), and that "the record is clear that refiners valued the services furnished by respondents and much antiknock business was awarded based on services." (ID 140; see also Testimony of Complaint Counsel's Economist Expert, cited at IDF 210.) Remarkably, the majority concedes that this case involves "a market with an emphasis on service rather than price competition" (Maj. Op. at 38.), but ignores the implications of this fact throughout the remainder of its analysis. (See, e.g., *Id.* at 39: "The heart of this case is the need to properly analyze pricing behavior in the market for these products.")

Economic theory makes clear that such non-price competition cannot be ignored in assessing competitive performance. As Adam Smith noted in his classic treatise:

In a free trade an effectual combination cannot be established but by the unanimous consent of every single trader, and it cannot last longer than every single trader continues of the same mind.<sup>3</sup>

In this industry the product *cum* services—the antiknock product "package"—varies substantially among the four respondents. One respondent provides very few services internally, hiring outside consultants to provide free advice on matters of health and safety and efficient use of antiknock compounds. (IDF 98.) Another respondent furnishes most of its services through "inhouse expertise", such as direct assistance in designing and building customers' plants. (IDF 91.) Another provides computer programming assistance and training of refiners' employees. (IDF 92.) Others innovated a "tolling" arrangement in which waste products from customers' refineries are recycled and used as "scavengers" to improve the "blend." (IDFs 32, 83; and ID 155.) Yet another respondent, in conjunction with a refiner, developed a new product—tetramethyl lead (TML). When blended with

<sup>2</sup> J. Schumpeter, *Capitalism, Socialism and Democracy* 84 (1950).

<sup>3</sup> A. Smith, *Wealth of Nations* 129 (1937 ed.).



the existing tetraethyl lead (TEL) product, TML created new product arrays of varying TML/TEL blends, with varying product performance characteristics.

In addition, all four respondents compete with varied and varying billing arrangements, which they strenuously try to keep secret from their competitors. (IDFs 138 and 183.) All deliver antiknocks at older, lower prices after a price increase has gone into effect. (IDF 81.) This practice is so complex that the ALJ found it would take "a major accounting project" to determine the equivalent amounts of price discounts. (ID 139.) One competitor keeps the arrangements secret from its own sales personnel, issuing the concessions in credit statements to its buyers. (IDF 138.)

The ALJ's findings on this record also show that respondents do learn of their competitors' practices, but not always instantaneously or accurately. For example, sometime in 1977 Ethyl learned (apparently for the first time) that DuPont had been (1) picking up invoices for customers' outside consultants, (2) giving away weigh tanks, and (3) shipping antiknock beyond effective dates at old prices. (IDF 141.) Ethyl also discovered that PPG was giving rebates for customers' outside consulting services. (IDF 141.) Sometime within the period 1975 to 1977, one refiner customer revealed to DuPont a special discount arrangement it had begun with Nalco as early as 1974. (IDFs 68 and 140.) Prior to this proceeding, none of the other three respondents even knew of Nalco's use of MFN clauses, and PPG could not confirm that its rivals used such clauses until the Commission's complaint in this matter did them the courtesy of removing that bit of "uncertainty." (IDF 136.) Also, Ethyl erroneously thought Nalco was selling some of its antiknock at F.O.B. prices. (IDF 137.) Both Ethyl and DuPont had difficulty monitoring the "multileg" transactions between PPG and Nalco in which they exchanged or sold TML and TEL. (ID 142.)

If such pricing and quasi-pricing arrangements were difficult for competitors to monitor, it was obviously even more difficult for them to discover the exact value of the numerous varieties of internal service arrangements (such as computer programs, employee training, refinery inspections, and so on). In short, these non-list price competitive arrangements not only benefit refiner-customers, but also make any restriction of output below competitive levels a highly dubious prospect in the antiknock industry. As one commentator observes:

*"Under contemporary, multi-vectored, dynamic competition, the probability of tacit collusion among a few producers is negligible because the decision variables are so numerous that no producer is able to anticipate the precise actions of his competitors. . . . Clearly, measurement of the effectiveness of competition in a market requires an assessment of all vectors, and a summation of their competitive effects. The strength of competition cannot be assessed by confining attention to prices."*<sup>4</sup>

Yet, the Commission's decision effectively dismisses the record evidence of non-price competition as undesirable, and ignores its potentially destabilizing influence on any supracompetitive industry equilibrium. The majority's principal citation for such an approach (Maj.Op. at 43 n.60.) is a work by Professor George Stigler, in which, according to the majority, he concludes that "price competition is much more effective in increasing output and reducing profits than non-price competition. . . ." <sup>5</sup> In fact, the remainder of the very paragraph cited by the majority makes clear that Stigler was referring to what he characterized as an "empirical judgment." <sup>6</sup> Stigler did not say that a competitive result would not occur where non-price competition is possible. Empirical research subsequent to his cited publication has demonstrated that it can. <sup>7</sup> Moreover, Stigler's analysis assumes the existence of a closed market and a collusive agreement. No such conspiracy was alleged or proven in this case.

As Professor (now Judge) Posner observed: "[I]f other forms of competition—inventory, product quality, service, or whatever—are very important, the only effect of eliminating price competition may be to channel competitive energies into other, and costly, forms of competition." <sup>8</sup> (Emphasis added)

Or, to quote Professor (now Judge) Bork: There is no difficulty in explaining the prevalence of product rivalry. Those who see in it the peculiar machinations of oligopolists overlook the obvious fact that consumers are sensitive to much more than price. Most products present a bundle of satisfactions, both functional and aesthetic; product rivalry is essential, particularly in complex products, if the variety of consumer tastes is to be satisfied effectively. Intense product rivalry, therefore, signals not lack of competition but its presence. <sup>9</sup>

To adopt a legal standard that disregards these significant non-price aspects of competition—aspects that customers value and that are an integral part of an industry's competitive process—would seem to run directly counter to the intent of the authors of the FTC and Sherman Acts that the majority wishes to further. It is indeed ironic that the standard adopted by the majority would tell firms in oligopolistic industries that in the future they should focus their competitive activities on forms of competition more readily detectable by competitors (i.e., list-price competition), thereby making anticompetitive arrangements—whether collusive or interdependent—more readily achievable.

#### B. The Standard Ignores Discounting Off List-Price

Beyond neglecting the many important types of non-price competition just discussed, the majority's myopic fascination with list-

price movements also ignores an equally important characteristic of the antiknock industry. Although the majority characterizes off list-price discounting in this industry as "limited" (Maj.Op. at 51, 111.), the record evidence clearly shows that substantial discounting occurred during the "relevant period." The majority concedes that during the 1974-79 period, PPG discounted in about one-third of its sales, and that a full 58 percent of PPG's antiknock sales (including co-producer sales) were made at discounts off list-price in 1979. (Id. at 44, 98.) Nalco's pricing behavior was even more remarkable. As the majority are again forced to admit, over 80 percent of Nalco's sales were made at a discount off list-price. (Ibid.) These undisputed figures demonstrate that sales at list price for these two competitors were the exception, not the rule. Indeed, as the majority notes in discussing whether Nalco need be made subject to the Commission's order, Nalco made the "great majority" of its sales at a discount from list (Id. at 102.), and "[I]f Nalco's pattern of discounting is continued, most of its sales will actually not be made at list price." (Ibid.)

With respect to DuPont and Ethyl, the principal form of competition chosen by these two largest antiknock producers was the provision of services and other non-price aspects. However, while the majority finds otherwise, the ALJ correctly found that DuPont and Ethyl did engage in several practices that amounted to a price discount, such as allowing "forward ordering," late billing, and credit arrangements. (IDFs 80 and 88.) In addition, the record discloses at least one instance in which one of those firms in fact granted a discount to a refiner customer over most of the "relevant period". (See Maj. Op. at 74 n. 75.)

The ALJ found that the respondents took "extreme measures to ensure off-list pricing information is kept strictly confidential" (IDF 183.), and to keep the "transactions prices" of such arrangements confidential. (IDF 138.) Further, notwithstanding the record evidence of aggressive price competition by the two smallest firms, the majority condemns the "participation by PPG and Nalco in the rigid pricing patterns followed by the entire industry" and states (remarkably): "As in the case of PPG, we conclude Nalco's discounting was sufficiently restrained so as not to upset the prevailing market equilibrium." (Maj.Op. at 101.) Whatever one may conclude as to DuPont and Ethyl, I simply do not believe that the record supports this conclusion as to PPG and Nalco. Once again, I find it ironic that the majority—so anxious to increase "uncertainty" in this industry—finds PPG and Nalco liable because their price-cutting was done secretly, rather than by lowering the published list-price. It is difficult to understand how the majority can square its finding of liability as to PPG and Nalco with its own statement: "It is familiar economic theory that the more complex and more hidden the form of competition, the more difficult is the achievement of coordinated, parallel behavior in an oligopoly." (Id. at 43-44.) One result of today's decision may well be that future discounting will occur more often on a list-price basis, where all

<sup>4</sup> G. Stigler, *Organization of Industry* 23-28 (1968).

<sup>5</sup> Ibid.

<sup>6</sup> See, e.g., J.C. Miller III and G.W. Douglas, "Quality Competition, Industry Equilibrium, and Efficiency in the Price-Constrained Airline Market," 64 *American Economic Review* 657 (1974).

<sup>7</sup> R. Posner, *Antitrust Law* 60 (1976) (hereafter cited as "Antitrust Law").

<sup>8</sup> R. Bork, *The Antitrust Paradox* 190-91 (1978).

<sup>9</sup> N. Jacoby, *Corporate Power and Social Responsibility* 140 (1973).

competitors can more readily detect it and react, according each respondent greater certainty in setting its list-prices.

*C. The Standard Is Too Broad Because It Ensnarcs PPG and Nalco, Who Were Procompetitive Factors in the Industry*

Perhaps the most disturbing implications of today's decision are raised by the majority's finding that PPG and Nalco are equally liable as this industry's two most successful firms, Ethyl and DuPont. Any lingering doubts about the inappropriateness of the legal standard adopted by the Commission today vanish when one examines the record evidence upon which this liability is imposed. Not only did these smaller firms engage in the challenged practices to a lesser extent than DuPont and Ethyl, but the record demonstrates that their influence on the antiknock industry was markedly procompetitive.

The majority finds both PPG and Nalco liable only for using uniform delivered pricing. (Maj. Op. at 2-3, 100-01.) PPG was not even alleged to have used MFN clauses. (See Complaint ¶12(b).) The majority finds that Nalco used MFN clauses "in a minority of cases", and concludes (correctly) that "the record does not support a finding that the use of these clauses by Nalco had a significant effect on the overall pricing pattern." (Maj. Op. at 100.)

Moreover, the ALJ found that both PPG and Nalco have been "procompetitive forces" in the antiknock industry since they entered in the early 1960's (ID 161 n.24.), which includes the "relevant period." Even the majority is forced to admit that "It is true that Nalco and PPG have introduced some competitive element into the market." (Maj. Op. at 101.) Even placing all other considerations aside, a legal standard that imposes liability on the smallest members of an "oligopoly" who have been found to be aggressive procompetitive forces in both price and non-price dimensions discussed above—apparently because in the majority's view PPG and Nalco were not able to bring their industry all the way to the perfectly competitive model—simply sweeps too broadly. Whatever the arguments for finding the two largest respondents liable, I think it clear that the complaint against PPG and Nalco should be dismissed.

I suspect it will be cold comfort to PPG and Nalco to discover that, although liable under Section 5, they are not subject to the Commission's order in this case. While the majority's new cause of action is ostensibly confined to Commission enforcement under Section 5, there is no assurance that private litigants will not try their luck at extending it to the Sherman Act. (This might be attempted under either a tacit agreement theory under Sherman Section 1, or as a conspiracy to monopolize theory under Section 2. Such an attempt would find support in the majority's lengthy discussion of why existing Sherman Act precedent involving tacit collusion supports a finding of unlawful conscious parallelism among oligopolists. (See Maj. Op. at 16-20.))

More important, in a very real and very significant sense, today's findings of liability as to PPG and Nalco may well engender

anticompetitive consequences by the message sent to even small actors in other oligopolistic industries (and to firms contemplating entry into them). That message is that even if those relatively small firms are procompetitive forces and unilaterally and for sound business reasons adopt practices that their (larger) customers desire, they had best keep one eye on the FTC (and perhaps uninhibited private litigants) for a potential lawsuit.

In particular, today's decision may have the unintended effect of deterring entry into oligopolistic industries. Potential entrants (such as those in the position of PPG in 1961 and Nalco in 1964) will no longer be certain they may safely adopt the prevailing trade practices within the target industry, even if the practices are desired by buyer and seller alike and are adopted unilaterally. Oligopolies—where they do not result from government regulation—are usually able to persist only by virtue of significant scale economies or other efficiencies. It would be most unfortunate—and the height of irony—if the majority's actions today deterred new entry into such industries.

*D. The Majority's "Relevant Period" Is Inappropriate*

A legal standard intended to promote the interests of consumers and the objectives of competition policy should focus upon a time period sufficiently long to constitute a meaningful, representative test of the competitive effects of the challenged practices, and to allow an assessment of their historical bases—whether anticompetitive or efficiency-related. The time period chosen and focused upon by both the ALJ and the majority as "the relevant period" (Maj. Op. at 1.)<sup>10</sup>—January 1974 to May 1979—does neither. Instead, the majority carves out a single (albeit important) five-and-one-half-year "slice" of the antiknock industry's nearly 60-year history in which special factors may account for the effects the majority finds objectionable, and from which it is not possible to determine either the purposes or actual effects of the challenged practices. Because the majority opinion is virtually silent on developments prior to the "relevant period," a brief historical digression is necessary.

1. *The Challenged Practices Were Adopted Before Interdependent Behavior Was Possible.* In 1924, Ethyl's predecessor corporation was formed to market TEL compounds produced under a patent monopoly controlled (indirectly) by the DuPont Corporation. In 1938, Ethyl began producing TEL itself. But until 1948 Ethyl remained the sole U.S. marketer of antiknocks. (IDFs 16-17.) The majority concedes that Ethyl adopted uniform delivered pricing in the 1930's while it was the sole antiknock producer. (Maj. Op. at 77.) Most-favored-nation clauses were also adopted unilaterally by Ethyl while it was the only producer (IDF 156.), as were advance

price notices. (Maj. Op. at 55, 62.) In short, none of the three challenged practices were adopted as a result of any decisions by competing firms—conscious or unconscious—to restrict output or promote stability. Rather, as I discuss below in Part IV(C), they were adopted for reasons of efficiency and in response to customer demands.

2. *The "Relevant Period" Is Atypical And Unrepresentative.* In addition, the history of this industry shows that the time period chosen as "relevant"—1974 to 1979—is, in fact, too short to draw any inferences of anticompetitive effects. It is possible that the claimed high prices and profits and stable market penetration cited by the majority (Maj. Op. at 36-39, 40-41, 47.) may all be attributable to the influences of government regulations alone. No such effects prior to the 1974-79 period are demonstrated by the ALJ's or the majority's findings.

From August 1971 to January 1974, federal price controls froze the price of antiknocks (at least for TEL). (RDX 332G.) In the meantime, as the majority notes, in 1973 federal environmental controls were promulgated that would ultimately result in a 90 percent reduction in antiknock industry demand, but with both the exactness and timing of the reduction unclear. (Maj. Op. at 105; ID, Appendix C.) Originally, respondents believed the controls were to be phased in over a four-year period from 1975 to 1979. But numerous delays resulted in postponing the start until 1978, after which demand fell sharply. (IDFs 43-44; and ID, Appendix C.) One respondent, PPG, is currently in the process of exiting the industry. (Maj. Op. at 102-03.)

Thus, any tendency for prices or profits to rise in the 1974-79 period may be attributable to the substantial risk introduced by government regulations. In addition, the threat of impending extermination or near-extermination substantially weakened any desire to expand and achieve any significant additional market penetration in that period. (IDF 40.)

Finally, in many industries the expiration of price controls was followed by rapid price hikes, as firms subject to controls sought to compensate for years in which output prices were frozen.<sup>11</sup>

In the period preceding the start of the majority's "relevant period" there was significant entry, substantial volatility of market penetrations, stable or falling product prices, and the development of innovative products and processes. From 1948 to 1974, Ethyl's share fell from 100 to 33 percent of the market. From 1961 to 1974, DuPont's share fell from 50 to 38 percent, while Nalco had grown from nothing to 12 percent and PPG from nothing to 16 percent by the start of the "relevant period." (ID, Appendix C.) Meanwhile, from 1960 to 1974 the price of TEL rose by only 17 percent, and the price of TML actually declined by 10 percent. (IDF 52.) In sharp contrast, during this same period the overall producer price index rose by 57

<sup>10</sup> The majority opinion asserts that the Commission complaint alleges the challenged practices were followed "over an extended period." (Maj. Op. at 1.) In fact, the complaint is completely silent with respect to the duration of the alleged practices.

<sup>11</sup> M. H. Koster, *Controls and Inflation: The Economic Stabilization Program in Retrospect* 40-41 (Washington: American Enterprise Institute for Public Policy Research, 1975); M. and R. Friedman, *Free to Choose* 279-80 (1980).



percent.<sup>12</sup> During this same time frame, Nalco developed TML, and both Nalco and PPG developed new production processes for recycling oil refiners' waste products. (IDFs 32 and 83.) All four of the so-called "facilitating" practices challenged in the complaint were in fact in use by two or more respondents during this 1960-74 period. (See, e.g., IDF 124.) The majority fails to explain why these practices did not "facilitate" supracompetitive price increases during this period. Presumably, the majority feels this 14-year period is simply not "relevant."

In sum, the majority has focused exclusively on a time period during which the "aftershock" of price controls rippling through the economy, coupled with the market disruption created by the impending environmental restrictions on leaded gasoline, combined to exert a profound effect on the antiknock market. The majority attributes all of the pricing and profit performance during 1974-79 to respondents' facilitating practices, and none to government intervention. It is readily apparent what serious mischief a legal standard can create when it permits prosecutors to establish a performance-based antitrust law violation upon evidence from a short, unrepresentative, and unusual time period that is viewed in isolation from the remainder of the industry's history. Such a legal standard hardly seems consonant with the goals of competition policy.<sup>13</sup>

#### E. The Standard Ignores Respondents' Customers

The majority dismisses the actions and potential actions of respondents' customers—petroleum refiners—as irrelevant and "misguided." The basis for this approach is the majority's notion that refiners do not realize that the practices they have demanded of respondents help the refiners individually, but harm them as a group as industry output is allegedly restricted below competitive levels. (Maj. Op. at 75-76.)

The majority concedes—as it must—that respondents' customers are large, sophisticated, and aggressive firms, "many of whom did press for discounts", and that this fact cuts against their anticompetitive inferences. (Id. at 35.) However, it then proceeds to ignore the ramifications of this fact for its theory, saying only that it is "inadequate to change [our] overall conclusion." (Ibid.) Six antiknock buyers—Exxon, Mobil, Texaco, Gulf, Amoco, and Chevron—are among the ten largest U.S. industrial corporations. (IDF 19.) Many of these refiners are fully capable of integrating backward into the production of antiknocks if services were deficient, or if prices exceeded marginal cost—i.e., if respondents' profits were excessive. This is more than a theoretical possibility. The ALJ found that five of the largest antiknock buyers jointly

own the export market's largest producer, OCTEL. (IDF 37.) (Tariffs apparently preclude OCTEL from exporting into the U.S. in competition with respondents. (IDF 104.)) One such refiner provided technical and marketing assistance as well as financial help to facilitate Nalco's entry in 1964, and participated in Nalco's successful development of a new product, TML. Other refiners provided financing to both Nalco and PPG (then called Houston) in their inaugural years. (IDFs 50 and 139.)

Thus, when the focus of the analysis is broadened to include the special nature of customers in the antiknock industry, a considerably different picture of the competitive process emerges. In spite of criticisms by some of complaint counsel's refiner witnesses concerning respondents' pricing policies, those refiners appear to be in large measure satisfied with and responsible for the practices they criticized. Many refiners demanded the challenged practices, and felt they saved them money. Much like advertising, refiners relied on the challenged practices to compare prices or to reconsider contracts. (IDFs 112 and 126.)

There were no barriers blocking refiners from entering themselves and taking away business from an unresponsive and uncompetitive antiknock industry. Even if such entry were less likely following the EPA's actions since 1973, the majority does not explain why entry was not feasible before the "relevant period." If prices were too high or services too low at any point in time, the refiners could not only play one seller off against another, but could threaten respondents' very existence in the antiknock market with backward vertical integration. That none of these potential entrants chose to do so at any point in time—especially today when a firm with 17 percent of 1980 sales is exiting the industry and is destroying rather than selling its production facilities—is simply inconsistent with the cartel result. Perhaps the statement of one of complaint counsel's refiner witnesses, a purchasing agent for Exxon Corporation, explains best why refiners did not enter the antiknock market as producers:

We think it's [respondents' antiknock fluid] a bargain. Even though we fuss at our vendors a lot, it really is a bargain for us as far as achieving higher quality at a lower price. (Steen, Tr. 3457.)

In sum, the record evidence in this case shows that the majority's legal standard disregards the role of respondents' customers, ignores the history of the challenged practices, fails to consider the effects of non-price dimensions of competition, and, I believe, runs counter to the goals of this nation's laws on competition. If a standard of harmful interdependent oligopoly behavior is to be adopted, it should not be so narrow and static that it permits inferences of harm which a broader, dynamic perspective would show to be, in fact, procompetitive and beneficial to competition and consumers. For these reasons alone, I cannot join in the majority's decision.

#### III. The Standard Is Too Vague and Unpredictable To Serve as a Reasonable Guide to Business Behavior

As the majority intimates, even if a particular legal standard is sound in theory, it may not be sufficiently simple and clear to serve as a guide for business behavior. No matter how conceptually elegant a theory, it is of no practical value if businesses cannot figure out what they are supposed to do and not do until after the fact. Yet this is precisely the result of the standard adopted in this case.

Under the cause of action created today, firms acting independently and adopting one or more practices for legitimate business reasons at the behest of their customers would become liable at some unknowntime when some unknown combination of the practices used by an unknown number of the firms took place. Even firms not found to employ the practices in any objectionable way would be liable for, in effect, "hanging around the wrong crowd." The principal guidance provided by the majority would be a list of four objectionable structural and seven objectionable performance characteristics, with a proviso that "additional" features may be relevant as well. Most of those characteristics are as vaguely stated as the challenged practices, and many exist in both competitive and monopoly situations. (See Part IV(A), below.)

This is simply not an understandable rule of law. At best, it would add another dimension of regulatory risk and uncertainty to this and other industries' environments. At worst, it would actually deter beneficial, procompetitive behavior, for fear of triggering a Section 5 violation for unknown and unknowable reasons.

#### A. The Standard Does Not Specify When the Challenged Practices Became Illegal

The majority decision seems to imply that each of the challenged practices in and of itself may be legal—that it is a combination of the practices that is objectionable. (Maj. Op. at 90-94.) Specifically, it allows that grace periods provided with advance price notification might be lawful if it were not for the practice of uniform delivered pricing. (Id. at 94.) It further concedes that MFN clauses might be legal if it were not for the practice of advance price notification. (Ibid.) Finally, it admits that even then the practices might be legal if a different set of structural and performance variables characterized an industry. (Id. at 22, 24-27, 110.)

It is, of course, well and good to have a standard that is sufficiently flexible to allow reasonable behavior. Given that a standard is to be set, it should by no means make interdependent oligopoly behavior a *per se* violation. But there should be sufficient clarity to allow firms a reasonable certainty of liability under a knowable set of circumstances.

A standard should allow future firms in similar circumstances to predict when a set of practices adopted for legitimate business reasons in response to customer demand becomes an antitrust violation. Was Ethyl guilty of a Section 5 violation when it adopted each of the practices unilaterally? Or

<sup>12</sup> *Economic Report of the President* 227 (1983). The Commission may take official notice of such regularly-prepared statistical compilations published by the federal government. FTC Rule of Practice § 3.43(d), 16 CFR § 3.43(d) (1982). See also Fed. R. Evid. 201.

<sup>13</sup> It might be another matter if there were evidence that the industry had lobbied for the regulations in question. Such is not the case here.

did they become a violation when DuPont entered in 1948, and subsequently sought to take away sales from Ethyl by adopting the same business methods Ethyl had found successful? Or did the practices become unlawful when PPG's predecessor (Houston Chemical Company) entered in 1961 and sought to take away sales from Ethyl and DuPont? (PPG gained 16 percent of sales within 13 years as DuPont, the sales leader, lost 12 points in that period.) Or did the illegality arise when Nalco entered in 1964 and gained almost 12 points over the next 10 years—all at the expense of the two leading firms, DuPont and Ethyl? (See ID, Appendix C.) To each of these questions, the majority provides no answer.

At no point does the majority explain when the violation was triggered. The most likely inference appears to be that liability followed the imposition of government regulations in the 1970's which threatened extermination of the industry and which, according to the majority's decision, practically eliminated the possibility of further entry. (Maj.Op. at 33.) This is because the decision elsewhere states that it "would not expect such [pricing coordination] practices to have a significant effect unless barriers to entry deterred potential entrants from 'competing away' excess profits earned by firms with supracompetitive prices." (Id. at 25.) Since there was significant entry in the 1960's with substantial shifts in sales penetration, I can only infer that the decision finds that the violation occurred sometime during the subsequent period of government controls.

If that is the case, it should be so stated so that in the future potential violators will have a better chance of knowing when otherwise lawful practices may become a law violation. If it is not the case that government regulation triggered the violations found here, then the "relevant period" should be extended backward in time to determine precisely when the violation occurred, and with what effect on competition and consumers.

#### *B. The Standard Does Not Specify What Combination of the Practices Is Unlawful*

There are considerable uncertainties in the majority decision regarding potential liability for alternative combinations of the challenged practices. The clearest implication is that uniform delivered pricing is most objectionable to the majority. All four respondents are found liable for its use. (Maj.Op. at 2, 90, 93, 101.) The majority implies the other challenged practices could be lawful if it were not for uniform delivered pricing. (Id. at 94.) Further, the majority intimates that the truly objectionable aspect of advance price notification is the additional "grace period" over and above the notice period contractually required. (See, e.g., Maj.Op. at 101.) Today's decision holds liable two firms—PPG and Nalco—whose only "hard core" challenged practice was uniform delivered pricing. (Nalco did not employ a grace period in conjunction with its advance notification contracts, and PPG did not utilize the grace period to initiate any price increases.) For the reasons discussed in Part IV(D), below, there is no basis in this record to infer anticompetitive effects from use of

such delivered pricing by PPG and Nalco, or either of the remaining two respondents.

DuPont and Ethyl are found to have engaged—unlawfully—in *three* of the challenged practices. Nalco is found to have used the same three practices, but to be liable for only *one* (uniform delivered pricing). PPG is found to have employed only *two* of the three practices, but to be liable for only *one* (again, uniform delivered pricing). I suspect it will be difficult indeed for firms operating in "oligopolistic" industries to sort all of this out into any meaningful antitrust compliance guidelines.

Moreover, a legal standard that implies that each of several challenged practices may be lawful by themselves, but then holds liable two firms on the basis of only one of the practices, is less than precise. At best, such a standard may make firms more cautious about entering oligopolistic industries in which one or more of the challenged practices are the prevailing terms of trade.

#### **IV. The Facts in the Record Do Not Meet the Proposed Standard**

Even if the majority decision's proposed standard were broad enough and clear enough to serve as a basis for imposing liability, no violation could be found on the facts in the record. The record shows that neither the structure, performance, nor conduct criteria of the standard are satisfied by the facts in this case.

##### *A. The List of "Objectionable" Structural and Performance Variables Do Not Support the Majority Conclusion*

The majority decision offers a list of objectionable structural and performance characteristics that are intended to resolve the vagueness problem, and to serve as the theory on the basis of which the inferences of anticompetitive effects may be drawn. The majority argues that the challenged practices can be inferred to be unacceptably anticompetitive (and hence unlawful) if they are associated with certain "structural" and "performance" characteristics. They identify five such structural characteristics: (1) high concentration, (2) high entry barriers, (3) a homogeneous product, (4) inelastic demand, and (5) "additional [structural] factors." They then designate eight performance characteristics: (1) "highly uniform" prices, (2) "lock-step" price changes, (3) "limited" discounting, (4) "stable" market shares, (5) "relatively high" profits, (6) price in excess of marginal cost, (7) rising prices accompanied by both "sluggish demand" and "excess capacity," and (8) "additional [performance] factors." (Maj. Op. at 110-12.)

Each of the cited characteristics is subject to alternative interpretations in the context of almost any real-world industry situation. In addition, the categories labeled "additional factors" contain characteristics that are clearly procompetitive in the antiknock industry. I consider here certain of these structural and performance variables that the majority misinterprets in its analysis.

1. *Structural Factors. a. High Concentration.* It is undisputed that the antiknock industry is highly concentrated. It is also true that such concentration lends

itself to an awareness that each firm's actions will influence those of its competitors and, ultimately, affects the industry equilibrium levels of price, services, and output. But this is true of all oligopolistic industries, irrespective of whether the practices challenged in this case are utilized. As one commentator observes:

[O]ligopoly competition may be as virile as competition in an industry with a large number of small- or medium-sized firms. \* \* \* It is immaterial that each oligopolist firm acts with awareness of its competitors as long as it makes its independent decisions on price, quality of product and service, research and innovation, cost and profit factors. \* \* \* Again I stress that the courts have not condemned a mere oligopoly market power as a Sherman Act violation. The Supreme Court has distinguished genuine collusive conduct of oligopolists from mere conscious uniformity of business behavior arising from mutual awareness of common economic or business justifications in harmony with independent self-interest.<sup>14</sup>

Or, more recently, as other observe: When there are at least two noncolluding firms in an industry, there is no clear-cut relationship between the number of firms and the degree of competition.<sup>15</sup>

b. *High Entry Barriers.* I heartily concur in the majority's conclusion that the practices challenged in this case cannot lead to supracompetitive results in the absence of effective entry barriers. (Maj. Op. at 25.) However, the majority's definition of an entry barrier is subject to question. As Posner points out, properly viewed, an entry barrier is not a high cost of entry. Rather, it is a high (long-run) cost that entrants must bear in excess of those costs incurred by existing firms.<sup>16</sup> In this case government price controls and environmental regulations weighed equally on all firms, present or potential. Thus, they are not entry barriers in the true economic sense. But even assuming EPA regulations make it unlikely any new firms will enter the antiknock industry, this "structural factor" was not present until the early 1970's. Thus, we must presume the challenged practices were lawful until that

<sup>14</sup> S. C. Oppenheim, "The Sherman Act and Internal Company Growth," NICB Conference on Antitrust in an Expanding Economy 11 (May 16, 1962); see also R. Bork, *The Antitrust paradox* 103-04, 163-97 (1978).

<sup>15</sup> E. Fama and A. Laffer, "The Number of Firms and Competition," *American Economic Review*, Vol. LXII, No. 4 (September 1972), p. 674. See also, M. A. Adelman, "Effective Competition and the Antitrust Laws," *Harvard Law Review* 1297 (September 1948); G. C. Archibald, "Large and Small" Numbers in the Theory of the Firm," *Readings in the Economics of Industrial Organization*, edited by Douglas Needham (New York: Holt, Rinehart, and Winston, 1970), p. 168; H. Demsetz, *The Market Concentration Doctrine* (Washington, D.C.: American Enterprise Institute For Public Research, 1973), p. 26; and J. M. Vernon, *Market Structure and Industrial Performance—A Review of Statistical Findings* (Boston: Allyn and Bacon, Inc., 1972), p. 117; J. S. McGee, *In Defense of Industrial Concentration* 129 (1971).

<sup>16</sup> Antitrust Laws at 59, citing G. Stigler, "Barriers to Entry, Economies of Scale and Firm Size," *Organization of Industry* 67 (1968).

time. It follows that, under the majority's theory, the imposition of environmental regulations gave rise to an antitrust violation on the part of all industry firms and—in addition to mandating the medium-term demise of the industry—presumably required all four respondents to restructure their traditional business practices.

c. *Homogeneous Product.* The record evidence amply supports the majority's conclusion that antiknock compounds of a given proportion of TML and TEL are identical. (Maj. Op. at 33–34.) However, the record also demonstrates that alternative mixtures of the two compounds (e.g., 75/25 TML/TEL vs 25/75 TML/TEL) have different characteristics and different prices. (See, e.g., IDF 7.) More important, the antiknock product was sold with essential safety services—services that varied substantially among the four respondents. Moreover, the record shows respondents used varying credit terms and delivery dates.<sup>17</sup> (See Part II (A), above.) In short, the product—properly defined to include the associated services and delivery arrangements—is, upon close inspection, far from homogeneous. The majority's failure to recognize this explains its decision to ignore the numerous dimensions of price and non-price competition in this industry.

d. *Inelastic Demand.* The majority decision states that inelastic demand is necessary for the existence of supracompetitive prices and profits—to assure that any output restriction results in "price above marginal cost." (Maj. Op. at 25.) If this statement regards industry elasticity, it is simply wrong. As Posner observes, inelastic industry demand at the market price—which does prevail in the antiknock industry (IDF 42)—is inconsistent with a monopoly result, and "is rather good evidence that the sellers are not colluding—at least, not effectively."<sup>18</sup> (This is because where industry demand is inelastic, joint marginal revenue would be negative.) If the majority means that *firm* demand curves are inelastic at the market price, it implies that they were acting irrationally, since marginal revenue would be negative. In addition, any inference of inelastic firm demand is inconsistent with the high degree of price sensitivity shown by buyers in the record. (IDF 27.)

e. *Additional Structural Factors.* The most obvious "additional" structural factor is the undisputed presence of large, sophisticated, and aggressive buyers. As the majority admits, this cuts against any inference of anticompetitive conduct and effects. As previously indicated, this is a crucial factor in this industry, since buyers were the most obvious source of potential entry and could have integrated backwards into the antiknock industry if profits were really excessive.

The additional crucial structural factor needed to support the majority's legal theory (which the majority decision also cites but ignores) is that "price competition [must be]

more important than other forms of competition." (Maj. Op. at 22.) As discussed extensively above, the existence of substantial non-price competition—such as the service element in the antiknock industry—substantially reduces the likelihood of anticompetitive effects. The record in this case bears that out.

f. *Summary.* Thus, the majority defines and applies three of its four structural prerequisites in a manner inconsistent with the proper economic meaning of these concepts. Moreover, it omits discussion of two others that point to an absence of anticompetitive effects. When properly analyzed, five of six important structural conditions are not met by the facts in this case. The product—*cum* services and off-list price dimensions of competition—is *not* homogeneous. *Industry* demand at the transactions price is inelastic, while *firm* demand is elastic. Price does *not* appear to be the most important dimension of competition in this industry. Customers are large, sophisticated, and aggressive. Although there are import tariffs, entry barriers are *not* high, as evidenced by the entry and successful expansion of two respondents in the period preceding the "relevant period." (This conclusion is bolstered by the fact that respondents' customers could (as they have in other countries) integrate backward into the industry.) The majority's single remaining "structural" factor—industry concentration—is itself the subject of intense debate in the economic literature as to cause and effect.

2. *Performance Factors.* a. *"Highly Uniform Price" and "Lock-Step" Price Changes.* It is clear that the majority views the uniformity of respondents' list-prices and their tendency to rise in so-called "lock-step" fashion as the heart of this case. (Maj. Op. at 51, 64, 80.) It emphasizes that, of 24 list-price increases during the "relevant period," 20 were identical and occurred for all respondents on the same day. (*Id.* at 48.) The basic problem with this notion is that, as the majority itself recognizes, prices tend towards uniformity in competitive markets as well as non-competitive ones. The decision seeks to resolve this dilemma by saying that it is not so much the uniformity of prices but the rapid speed at which respondents' prices adjust that demonstrates the asserted fact that prices are above competitive levels and that "price leadership" is involved.

First, I note the circularity of the claim that price uniformity (however defined) is anticompetitive because prices are above competitive levels and that prices exceed competitive levels because of price uniformity. Second, the existence of substantial service competition among respondents shows that pricing cannot be discussed in a vacuum. In this industry, any tendency for pricing to rise above marginal cost would be checked by competition along service and other non-price dimensions.

Third, the notion that "price leadership" and simultaneous movements in price provide the key distinctions between competitive and supracompetitive markets is simply erroneous. To quote from a leading economics text:

All prices in all markets are administered in the sense that each person decides at what

price he shall sell (in the light of market demand). . . . The prices and sales of firms are interdependent. They watch each other closely and, like dogs chasing a rabbit, move together, even in those cases where there is no leader, simply because they seek the same quarry.

\* \* \* \* \*

That the same firm is usually the first to make a price change which others almost always follow does not mean that the leader dictates prices to other firms, nor does it imply some tacit agreement not to compete with prices. It can attest to the lead firm's greater acuity and knowledge of market conditions.

\* \* \* \* \*

Simultaneity of price action or "dominance" by one firm is not evidence for or against the existence of effective collusive agreements. The number of sellers and the coordinated price-search process, whether it be simultaneous or lagging behind some apparent "price leader," are also irrelevant.<sup>19</sup> (Emphasis in original)

Or, as Posner observes:

To be sure, there are dangers in pressing the "meeting-of-the-minds" approach too far. Suppose that a group of competing firms simultaneously experience an increase in the cost of some raw material that each one uses. In deciding how to respond to the common cost increase, each firm will consider the probable response of its competitors to the increase, since its ability to pass on the cost increase in whole or part to its customers by raising prices will depend on the pricing decisions of its competitors. The process by which the firms arrive at the new equilibrium at a higher price may thus have elements of "tacit agreement." The process is not an anticompetitive one; yet if the firms explicitly coordinated their pricing in reaction to cost change, the law would treat their agreement as illegal collusion—and rightly so, since there would be justifiable suspicion that the agreement was both unnecessary to smooth adjustment to the cost increase and motivated, at least in part, by a desire to raise the market price by more than the cost increase actually requires.

This example shows that the law should not always equate tacit and explicit pricing agreements. Some degree of tacit coordination of pricing in reaction to external shocks, such as the increase in raw-material costs examined above, is inevitable and unobjectionable.<sup>20</sup>

In short, pricing uniformity is the inevitable result of open market processes, and is consistent with either competitive or anticompetitive behavior and results. It is the expected condition in so-called oligopoly such as the antiknock industry, with or without use of the challenged practices.

b. *"Relatively High" Profits and Price Above Marginal Cost.* It appears there is simply a failure of proof on the claim that

<sup>19</sup> A. A. Alchian and W. R. Allen, *University Economics*, 345–46, 358 (1971).

<sup>20</sup> *Antitrust Law* at 72. See also D. Turner, "The Definition of Agreement Under the Sherman Act: Conscious Parallelism and Refusals to Deal," 75 *Harvard L. Rev.* 669 (1962).

<sup>17</sup> For the proposition that differing delivery dates and credit terms can introduce "an element of heterogeneity", see J. Hirshleifer, *Price Theory and Applications* 337 (1978).

<sup>18</sup> *Antitrust Laws* at 57.

profits were excessive. First, the accounting method employed failed to use *current* costs (see, e.g., IDF 166.), which are necessary for any inference that entry of equally efficient competitors is being deterred.<sup>21</sup> Second, as Posner notes, where costs vary among firms, the competitive optimum is where price equals cost for the *marginal* seller only.<sup>22</sup> And as Demsetz notes, differential profits among sellers are inconsistent with an anticompetitive situation.<sup>23</sup> PPG's 1978 reduction in capacity and its recent exit are scarcely consistent with price above marginal cost for the marginal firm. In addition the accounting data cited by the ALJ show Ethyl's estimated rates of return before taxes are generally twice as high as those for PPG and Nalco for the "relevant period," with DuPont in between. (IDF, Appendix J.)

Moreover, as Posner also observes, "equality of price and (long-run) marginal cost is efficient only when the market is in an equilibrium, or stable, condition."<sup>24</sup> Such a description scarcely characterizes the antiknock industry during the "relevant period." Even as the market distortions caused by price controls were fading, those caused by environmental regulations were growing. Risk existed in the certain knowledge of near-extinction, with only the timing and pattern of the precipitous decline unclear.

These facts—and the fact that at no time before, during or since the "relevant period" did any of the large oil company buyers attempt to integrate vertically into this industry—are inconsistent with the majority's finding of supracompetitive profits and performance in the antiknock industry.

c. *"Limited" Discounts and "Stable" Market Shares.* The majority's legal standard does not specify when, or in what order of magnitude, these measures are sufficient to rebut an anticompetitive inference. Moreover, the record indicates a non-trivial amount of each, especially when the time horizon is broadened at either end. (See Parts II(B) and (D)(2), and III(A), above.)

d. *Rising Prices Accompanied by "Sluggish" Demand and "Excess" Capacity.* As indicated, examining price rises without reference to the effect of government controls can lead to erroneous inferences as to their cause. In this case, the rising prices cited by the majority followed over two years of price controls, and occurred during a period of extreme uncertainty and risk and of frequent raw material shortages. (See Part II(D)(2), above.)

Government controls also had a major effect on respondents' decisions on output and capacity. (See Part II(D)(2), above.)

These included not only product regulations that, starting in 1974, threatened imminent drastic sales declines, but also EPA plant emissions controls that even made it necessary to invest in maintaining some existing equipment and plant. (IDF 38.) Thus, it is not surprising that two respondents, Ethyl and PPG, reduced plant capacity during the relevant period.

Yet, by 1979, a year plagued by supply problems with lead and sodium inputs (IDF 40.), Ethyl was operating at 95 percent capacity, and in 1980—for which no capacity data are available—it replaced DuPont as the industry leader (IDF 38; ID, Appendix C.) DuPont, which operated at between 84 and 94 percent of capacity in the recession years of 1974 and 1975, achieved 100 percent capacity in 1976. (IDF 39.) While the record is somewhat unclear following that time, the ALJ states that DuPont operated at "excess capacity" through 1979. (IDF 39.)

Nalco operated at from 77 to 89 percent capacity during the 1974 to 1979 period and had supply problems in three of those years. (IDF 41.) The ALJ found that "PPG did not have any significant excess capacity" from 1974–1976, and operated at 86, 100, and 88 percent capacity during the next three years. (IDF 40.) In addition, Nalco was the high-cost producer in the industry, so that any excess capacity on its part is perfectly consistent with price equal to marginal cost for it, the marginal firm—the competitive optimum for an industry with varying firm costs. (See Part IV(A)(2)(b), above.)

Similarly, PPG's current exit and creation of excess facilities that no one wants to buy is itself inconsistent with any idea that profits in this industry were during the "relevant period" or are today excessive. This is an important point because economic profit—the kind that is relevant to any assessment of competition—is a forward-looking concept that must take expected future events (such as eventual near-extinction) and uncertainty (such as the timing of the process) into account. (See references cited at Part IV(A)(2)(b), above.)

e. *"Additional Factors."* The most important "additional factors" in this case are the various beneficial services and innovations in products and production processes. (See Part II(A), above.) Once again, as in the case of the structural factors these are ignored by the majority opinion.

f. *Summary.* The decision's (mis)application of performance criteria to the record evidence does not provide support for an oligopoly theory under which anticompetitive effects can be inferred from the challenged practices. The majority's facile treatment of these criteria only adds to the confusion caused by the conduct criteria, which fail to explain when the challenged practices become a violation, in what combination, or when adopted by what number of firms.

#### B. Evidence on Conduct

What seems to trouble the majority most in this case is its perception that there is some sort of intent on the part of each of the four respondents to "maintain" a "stable market" in this industry by unilaterally maintaining the challenged practices. In support of this

perception, the majority cites an Ethyl document expressing concern about "maintaining a stable market for antiknocks" in a period of "market shrinkage" and "overcapacity." (Maj. OP. at 52.) It also cites testimony by DuPont's Director of Marketing that selling at F.O.B. to a large customer in this time period could lead to a decline in general prices (Id. at 81.), and statements by him and an Ethyl document about the possible impact of eliminating MFN clauses on industry "marketing practices." (Id. at 72–73.) Finally, the majority cites evidence that both DuPont and Ethyl view the practice of advance price notification with grace periods as a way to "test" competitors' reactions before making pricing actions final. (Id. at 58–60.)

While the cited statements are subject to varying interpretations, they may reflect little more than expressions of great concern about the inevitable destabilization and monetary losses that would occur once the environmental controls were put into place and phased into completion. Recall that the phasing down was to have begun on January 1, 1974—the beginning of the "relevant period," but after a series of uncertain delays (*ex ante*), the start of the process began on January 1, 1978. (IDF 44.) It was followed by a precipitous drop in demand, over 50 percent in three years (IDF, Appendix C.), as the controls became binding.

Thus, the Ethyl statement about "maintaining" a "stable market," as well as the DuPont and Ethyl statements about the potential for destabilization from changing certain marketing practices, are consistent with fully justified fears about what might happen to them as a result of sudden changes in industry conditions—whether they be caused externally such as by government controls, or internally, such as those initiated unilaterally in the form of new or different marketing practices, products, or production methods.

Moreover, concern expressed (internally) by some business executives from two respondents about the prospect of market destabilization does not necessarily imply that price or the price-service equilibrium was at supracompetitive levels. Any resulting destabilization could drive existing prices below cost or below the competitive level—the marginal cost of the marginal firm—even from a pre-existing competitive equilibrium, as PPG's recent exit makes clear. In that regard, the cited statements do not establish an intent to increase market stability. It is one thing to adopt actions that might raise prices above competitive levels. It is quite another simply to refrain from actions that might reduce prices below competitive levels.

Another aspect of the challenged practices on which the majority place great reliance in finding liability is the use by some respondents of a grace period that provides notice of price changes over and above that contractually required. Although the majority notes that only DuPont and Ethyl used it (Maj. Op. at 95–96, 98–99.), its opinion attacks the grace period by including all four firms:

By following a consistent practice over the relevant period adhered to by every industry member, the respondents have developed an

<sup>21</sup> G. Benston, "The FTC's Line of Business Program: A Benefit-Cost Analysis" (*Business Disclosure: Government's Need to Know*; ed. by Harvey J. Goldschmid, 1979), p. 92–94. See also F.M. Fisher and J.J. McGowan, "On the Misuse of Accounting Rates of Return to Infer Monopoly Profits", 73 *American Economic Review* 82–91 (March 1983).

<sup>22</sup> *Antitrust Law* at 136.

<sup>23</sup> H. Demsetz, "Two Systems of Belief About Monopoly" (*Industrial Concentration: The New Learning*; ed. by H. Goldschmid, J.M. Mann, and J.F. Weston, 1974), p. 177–79.

<sup>24</sup> *Antitrust Law* at 136.

effective way of signaling pricing intentions. The practice of conveying to a competitor what is, in effect, a price "offer," then waiting for a response—while avoiding different list prices at any time—actually goes beyond the competitive effect in exchanging current price information condemned in *Container Corp.* In that case, the practices which reduced competition consisted of agreements to exchange current price information by firms representing almost all the market. Here firms representing *all* the market have not only developed a system for exchanging current price information but for communicating future information with the opportunity to announce future prices on a contingent basis. (Maj. Op. at 51-52, emphasis in original.)

In fact, the price movements associated with the "grace period" are no more a "signaling tool" in this industry than the actual movement of prices among competitors in any small numbers situation. Where there are few competitors *any* price change is a "signal" to competitors about a firm's intentions, whether that change be in spot or future market contracts.

Moreover, as long as what amounts to a "futures" market in this case (the practice of advance price notification) is allowed to exist, no change in the so-called "testing" behavior can be expected to occur. The very same "testing"—raising, then adjusting prices before they are implemented—can be achieved simply by adjusting the effective dates of the announced price increases after the announcement. In addition, the practice of forward-ordering at the old price can be extended in time to accommodate any disenchanted buyer, without any loss of sales, even after a price rise occurs. Thus, the majority's notion that respondents will be less likely to initiate price rises if the "grace period" is abolished is without support in the record.

#### *C. The Challenged Practices Were Adopted for Legitimate, Procompetitive Business Reasons, and Were Desired by Respondents' Customers*

The majority asserts that in assessing the challenged practices under a rule of reason approach, it considers any procompetitive effects of the practices. (Maj. Op. at 22.) It then proceeds to reject all of respondents' proffered justifications for the practices, feeling they are outweighed by the assertedly anticompetitive effect of the practices on (list) price. (Maj. Op. at 89-91.) I find respondents' arguments persuasive and more than ample to offset the tenuous inferences upon which the majority's finding of anticompetitive effects is grounded.

Ethyl adopted one of the challenged practices—uniform delivered pricing—just prior to 1938 as a means of encouraging its buyers to receive the highly explosive fluids in tankcars as opposed to drums. (IDF 124.) Today, although some large refiners with plants located close to respondents' plants object to the practice other buyers find that the practice saves state transportation and inventory taxes, which they would have to pay if title passed prior to delivery. They also testified that it simplifies purchasing decisions by allowing quicker evaluation and

comparison of respondents' prices. (IDF 126.) The ALJ found that the prices "possibly does eliminate some costs customers would incur under an F.O.B. system" (IDF 126.), and that it is based on "some legitimate business reasons." (IDF 156.) The record indicates that freight savings to buyers located closest to respondents' plants from an F.O.B. system would only be roughly one percent of selling price. (See Part IV(D), below.)

Like uniform delivered pricing, the ALJ found that MFN clauses are also based on "some legitimate business reasons." (ID 156.) The record reflects that refiners desire the clauses (ID 154.), including the small refiners. (IDF 121.) Moreover, one respondent—Nalco—met customer objections when it generally dropped the practice. (IDF 120.) (PPG was not charged with utilizing the practice.)

The ALJ found that refiner witnesses (including those from small refiners) also generally favored respondent's practice of providing advance price notification. (IDF 112.) There is no evidence that it—or the accompanying grace period to which the majority particularly objects—was adopted as a result of any meeting of the minds of respondents. The grace period was not even utilized by Nalco. (Maj. Op. at 98.) PPG's officials testified that it would like to drop the practice. (IDF 110.) Refinery witnesses (including complaint counsel's) testified that they believed the practice saves them money by permitting "forward ordering" at the old price, and that it facilitates their firms' ability to reconsider respondents' contracts and to engage in financial and other planning. (IDF 112.)

#### *D. The Majority's Key Practice—Uniform Delivered Pricing—Was Presumed But Not Proven To Be Anticompetitive*

Finally, I discuss what appears to be the lynchpin of the majority's finding of liability—the impact of uniform delivered pricing, a practice respondents' customers utilized to compare prices. Given the majority's extensive treatment of the case law involving uniform delivered pricing, its statement that absent such delivered pricing the practice of advance price notification with grace periods might be lawful, and the fact that liability for two of the four respondents rests solely upon the asserted anticompetitive effects from this one practice, it seems appropriate to analyze the benefits and costs of this practice in some detail.

Curiously, after mentioning respondents' arguments that the practice did not have a substantial influence on antiknock selling prices, the majority's decision makes no attempt to look at the numbers in the record. Instead it chooses to emphasize—erroneously—that as in *Triangle Conduit*,<sup>25</sup>

<sup>25</sup> *Triangle Conduit & Cable v. FTC*, 168 F.2d 175 (7th Cir. 1948), *aff'd* by equally divided court *sub nom.*, *Clayton Mark & Co. v. FTC*, 336 U.S. 956 (1949).

respondents' plants are "scattered over the United States," so that delivery costs are quite different among them to different refiners. (Maj. Op. at 85, 93.) The majority then invokes its uncertainty theory, and finds that replacing this practice with F.O.B. pricing "would have introduced the complexity of 'masking' discounts because it would have introduced price variations among customers." (*Id.* at 82.)

This claim is supported in the first instance by reference to Nalco's practice of selling its Texas-produced TML to a customer in Antioch, California for the same price as DuPont charges in that location. (*Id.* at 76.) But the record shows that Nalco shipped its TML to Antioch, where it purchased DuPont's TEL for mixing prior to customer purchase. (IDF 89.) Similarly, DuPont would at least sometimes purchase TML from Nalco's Texas plant for mixing prior to delivery (IDF 20.) or, alternatively, ship its TML and TEL products to its mixing plant in Texas. Although DuPont had manufacturing plants in California and New Jersey, it has a mixing plant in Texas. Contrary to the majority's erroneous and misleading assertion that respondents' plants are "scattered across the country" (Maj. Op. at 85, 93.), they are in fact remarkably concentrated. DuPont's mixing plant as well as *all* plants of each of the other three respondents are all located within a 300-mile radius in Texas and Louisiana. (IDFs 1-4; Rand McNally Atlas.)

Thus, for example, when Nalco sold a 50/50 TML/TEL mix to customers in Antioch, California (TML cannot be used without mixing), its price with delivery cost would be identical to its F.O.B. price in either California or Texas or at any point in between. Moreover, the same kind of tendency toward inter-area price equalization—with or without this challenged practice—occurs when (as is generally true here) the buyers' plants are scattered across much of the U.S.

In addition, the ALJ found that average freight costs in the antiknock industry "are small in relation to the total market price." (IDF 190.) The exhibit cited by the ALJ on delivery costs (IDF 127; and RDX 333.) supports this finding. It shows that in 1979, average actual delivered costs among respondents' customers amounted to 1.5¢ per pound (less than 2 percent of list price in that year (IDF, Appendix D)) and that the lowest potential F.O.B. price for the refiner located closest to respondents' plants was 0.3¢ per pound. Thus, the maximum possible effect on such refiners versus the industry average was on the order of 1.2¢ per pound, or little more than 1 percent of selling price.

At the other end, there were two small refiners with shipping costs of 8.1¢ per pound who were, in effect, receiving a discount of that amount—less the 1.5¢ average actual freight costs per pound incurred in delivery. But 59.5 percent of the refiners, and 84.5 percent of shipments, had actual average freight costs of under 2¢ per pound. And 76 percent of the refiners and 94.5 percent of shipments had actual average freight costs of less than 3¢ per pound. Of the ten largest buyers, the spread ranged from 0.5¢ per pound to 2.8¢ per pound. (RDX 333.) Given



the list-price of antiknocks—which DuPont currently places at \$1.07 per pound (Maj. Op. at 106.)—it can readily be seen that the ALJ was correct in finding that delivery charges are "small in relation to sales price." (IDF 127.) This fact, coupled with the relatively centralized locations of respondents' plants, demonstrates that use of uniform delivered pricing cannot have had the significant anticompetitive effect attributed to it by the majority.

Given the legitimate business reasons for this practice (including the desire by respondents and their customers that respondents maintain title and liability for the explosive compounds until delivery), given the savings on state taxes and on bookkeeping costs associated with determining where the products went, and given the small fraction of total sales price accounted for by transportation costs, I find insufficient support in the record for the allegation that uniform delivered pricing had any substantial impact on competition in this industry. Elimination of uniform delivered pricing would not introduce substantial F.O.B. price variations among respondents, and its overall cost to customers as a group would likely exceed any conceivable benefits to particular refiners.

## V. Conclusion

In sum, taken together the challenged practices—uniform delivered prices, advance price notification with grace periods, and most-favored-nation clause—arguably reduce buyers' search costs and facilitate their ability to find the best price/value among refiners. In light of the intense competition in services and other non-list-price dimensions, moreover, the record fails to prove that these practices are anticompetitive. Their prohibition could well impose costs on consumers without any corresponding benefits. For these reasons, and for a similar lack of any evidence of anticompetitive structure and performance; for the failure to articulate an understandable and predictable standard of liability; and for the use of a criterion whose focus is so narrow as to present a possibly erroneous and harmful view of competition, I dissent.

[FR Doc. 83-10750 Filed 4-21-83; 8:45 am]

BILLING CODE 6750-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Subch. E

#### Change in Format for Publication of New Animal Drug Approvals

**AGENCY:** Food and Drug Administration.

**ACTION:** Rule-related notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that *Federal Register* documents amending the animal drug regulations to reflect approval of new animal drug applications and supplements will no

longer contain an abstract of the basis of approval. This information will be contained in the freedom of information (FOI) summary.

#### FOR FURTHER INFORMATION CONTACT:

J. Taylor Madill, Bureau of Veterinary Medicine (HFV-231), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3336.

**SUPPLEMENTARY INFORMATION:** Section 512(i) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360b(i)) requires that upon approval of an original or supplemental new animal drug application (NADA), a notice be published in the *Federal Register* setting forth the name and address of the applicant, conditions and indications of use of the new animal drug, and other necessary information. The notice is effective as a regulation and is codified in the Code of Federal Regulations.

The *Federal Register* document usually contained a brief summary of the basis for approval in the preamble. This summary has included statements of agency conclusions under specific statutory provisions, regulations, or policies. The basis for approval has also been described in more detail in the FOI summary as required by 21 CFR 514.11(e).

To expedite the publication of regulations reflecting approval of NADA's and supplemental NADA's, and to consolidate into one document the summary of the agency's basis for approval, FDA has decided that it will no longer routinely include the brief summary in the preamble. Instead, the preamble will refer readers to the FOI summary for a complete discussion of the basis for approval, including a summary of the data supporting the approval.

Dated: April 15, 1983.

William F. Randolph

*Acting Associate Commissioner for Regulatory Affairs*

[FR Doc. 83-10561 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

#### 21 CFR Part 177

[Docket No. 82F-0190]

#### Indirect Food Additives; Polymers; High-Temperature Laminates

**AGENCY:** Food and Drug Administration.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of an aliphatic polyurethane laminating adhesive for fabricating retortable pouches and related high-

temperature laminates. This action is in response to a food additive petition filed by Fujimori Kogyo Co., Ltd.

**DATES:** Effective April 22, 1983; objections by May 23, 1983.

**ADDRESS:** Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

#### FOR FURTHER INFORMATION CONTACT:

Terry C. Troxell, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

**SUPPLEMENTARY INFORMATION:** In a notice published in the *Federal Register* of July 13, 1982 (47 FR 30291), FDA announced that a petition (FAP 2B3633) had been filed by Fujimori Kogyo Co., Ltd., 4-16, 1-Chome Nihonbashi, Bakuro-Cho, Chuo-Ku, Tokyo, Japan, proposing that the food additive regulations be amended to provide for the safe use of a 2-component aliphatic polyurethane laminating adhesive for fabricating retortable pouches and other high-temperature laminates identified in § 177.1390(c).

FDA has evaluated the data in the petition and other relevant material and concludes that the proposed food additive use is safe and that § 177.1390 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Bureau of Foods (address above) by appointment with the information contact person listed above. As provided in § 171.1(h)(2), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (address above), between 9 a.m. and 4 p.m., Monday through Friday.

#### List of Subjects in 21 CFR Part 177

Food additives, Polymeric food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348j)) and under authority

delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Foods (21 CFR 5.61 as revised February 4, 1983; 48 FR 5251). Part 177 is amended in § 177.1390 by revising paragraph (c)(2)(iv)(b) to read as follows:

**PART 177—INDIRECT FOOD ADDITIVES: POLYMERS**

**§ 177.1390 High-temperature laminates.**

- (c) \* \* \*  
(2) \* \* \*  
(iv) \* \* \*

(b) Urethane cross-linking agent comprising not more than 25 percent by weight of the cured adhesive and formulated from 3-isocyanatomethyl-3,5,5-trimethylcyclohexyl isocyanate (CAS Reg. No. 4098-71-9) adduct of trimethylol propane (Cas Reg. No. 77-99-6) and/or 1,3-bis(isocyanatomethyl) benzene (CAS Reg. No. 25854-16-4) adduct of trimethylol propane.

Any person who will be adversely affected by the foregoing regulation may at any time on or before May 23, 1983 submit to the Dockets Management Branch (address above) written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

*Effective date.* This regulation shall become effective April 22, 1983.

(Secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348))

Dated: April 12, 1983.

Sanford A. Miller,  
Director, Bureau of Foods.

[FR Doc. 83-10562 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

**21 CFR Part 558**

**New Animal Drugs for Use in Animal Feeds; Virginiamycin**

**AGENCY:** Food and Drug Administration.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by SmithKline Animal Health Products providing for a 4.4 percent virginiamycin premix (20 grams virginiamycin activity per pound) for use in making medicated swine feed and broiler rations.

**EFFECTIVE DATE:** April 22, 1983.

**FOR FURTHER INFORMATION CONTACT:** Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-128), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4317.

**SUPPLEMENTARY INFORMATION:**

SmithKline Animal Health Products, Division of SmithKline Corp., 1500 Spring Garden St., Philadelphia, PA 19101, has filed a supplement to NADA 91-513 for Stafac 44 (virginiamycin 4.4 percent, 20 grams virginiamycin activity per pound). The supplement provides for a new premix concentration. The NADA previously provided for virginiamycin premix levels of 2.2 percent and 11 percent (Stafac 22 and Stafac 110).

The supplement is approved and the regulations are amended accordingly.

Approval of this supplement does not change the approved conditions of use of the drug. It permits use of a different premix concentration in addition to those previously approved. The use levels for virginiamycin in the feed remain the same. Approval does not require new effectiveness or safety data. Under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), this is a Category II supplemental approval which does not require reevaluation of the safety and effectiveness data in the original approval. In addition, a freedom of information summary for approval of the supplement is not required.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(iii) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact

on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

**List of Subjects in 21 CFR Part 558**

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i); 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), § 558.635 is amended by revising paragraph (b)(1) to read as follows:

**PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS**

**§ 558.635 Virginiamycin.**

(b) *Approvals.* (1) Premix levels of 2.2 percent (10 grams per pound), 4.4 percent (20 grams per pound), 11 percent (50 grams per pound), and 50 percent (227 grams per pound) granted to No. 000007 in § 510.600(c) of this chapter for use as in paragraph (f).

*Effective date:* April 22, 1983.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: April 12, 1983.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 83-10563 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**23 CFR Ch. I**

[FHWA Docket No. 83-4, Notice No. 4]

**Truck Size and Weight Policy Statement**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Cancellation of certain interim designations.

**SUMMARY:** The FHWA has made an interim designation of certain highways in each State on the Federal-aid Primary System that must be made available to certain size trucks for the period from April 6 through October 3, 1983. By this notice the FHWA is cancelling the interim designation of those primary system highways in the States of Georgia, Pennsylvania, Vermont, and Alabama that had not been designated by those States. The agency will address the interim designation for qualifying primary system highways in these four

States in a separate proceeding, which will be instituted in the near future.

**DATE:** This cancellation is effective April 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** Mr. Harry B. Skinner, Office of Traffic Operations, (202) 426-1993, or Mr. David C. Oliver, Office of the Chief Counsel, (202) 426-0825, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday, except legal holidays.

**SUPPLEMENTARY INFORMATION:** On April 5, 1983, (48 FR 14844) the FHWA published a notice of policy statement that designated, on an interim basis, qualifying Federal-Aid primary system (FAP) routes available to certain size vehicles pursuant to section 411 and 416 of the Surface Transportation Assistance Act of 1982 (STAA) (Pub. L. 97-424, 96 Stat. 2097), as amended by Pub. L. 98-17. The States of Georgia, Pennsylvania, Vermont, and Alabama have instituted actions in United States District Courts to enjoin that designation with respect to those primary system highways that had not been proposed for designation by the individual States in response to an earlier FHWA notice. One of the allegations in these suits was that the States had not had an opportunity to comment upon the safety of particular highway segments in the FHWA designations prior to their issuance.

To clarify the status of highways that will be open to the classes of vehicles covered by the STAA in light of the pending litigation and to accommodate some of the concerns of these States, the FHWA is cancelling the interim designation of all routes added by the FHWA in the April 5 notice beyond those designated by the four States. So that the public is aware of which highways will be open to these vehicles, we are setting out, in an Appendix to this notice, the FAP highways proposed for designation by Georgia, Pennsylvania, and Alabama. (Vermont did not propose for designation any primary highways.) We wish to emphasize that the entire Interstate System in these States remains open to the trucks authorized by the STAA.

The issue of interim qualifying primary system highways for these four States will be addressed in a proceeding that will be instituted in the near future. At that time the States and other interested parties will be able to submit comments on FHWA proposals for interim designations.

This cancellation affects only the States listed above. In other States that

have concerns over the FHWA interim designations we are continuing discussions to resolve questions raised about the designations and to delete or add routes to accommodate States' concerns. Discussions have already been concluded with several States and a revised list of interim designations will be published shortly.

Issued on: April 20, 1983.

**R. A. Barnhart,**  
*Federal Highway Administrator, Federal Highway Administration.*

#### APPENDIX.—STATE PROPOSED OTHER QUALIFYING HIGHWAYS

Posted route No.	Route description
<b>Alabama</b>	
AL 152 (North Bypass).....	In the City of Montgomery from I-65 northeasterly to Jackson Ferry Road.
<b>Georgia</b>	
GA 14 Spur.....	Near Atlanta, From I-85/I-285 Interchange east to Welcome All Road.
GA 21.....	In Savannah, the W. F. Lynes Parkway—from GA 25 Spur southeasterly a distance of 6.2 miles.
GA 316.....	From I-85 easterly toward Lawrenceville, a distance of 5.1 miles.
GA 365.....	From I-85 northeasterly to Gainesville.
GA 400.....	Near Atlanta, from I-285 north to GA 369.
GA 410.....	Stone Mountain Freeway from I-285 near Atlanta easterly to the Dekalb-Gwinnett County Line.
GA 411.....	Near Columbus, the Linsey Creek Bypass from GA 22 south to U.S. 27/280.
<b>Pennsylvania</b>	
U.S. 1.....	From Morrisville to U.S. 13.
U.S. 13.....	Controlled access segment south from U.S. 1.
U.S. 15.....	From Pennsylvania Turnpike (I-76) Interchange 17 northeast to the Harrisburg Expressway south of Camp Hill.
U.S. 15.....	From PA 642 in Milton to the White Deer Exit at White Deer.
U.S. 15.....	Controlled access segment north of junction with U.S. 220 at Williamsport.
U.S. 22.....	From I-279 west to the PA-West Virginia St. Line east of Steubenville, Ohio.
U.S. 22.....	From west of PA 100 near Fogselsville east to the PA-New Jersey St. Line at Easton.
U.S. 30.....	Greensburg Bypass south of Greensburg.
U.S. 30.....	From a junction with PA 462 west of York to a junction with PA 462 east of Lancaster, excluding the four mile uncontrolled access segment north of York.
U.S. 119.....	Limited access Bypass west of Uniontown.
U.S. 119.....	From Pennsville north of Pennsylvania Turnpike (I-76) Interchange 8 at New Stanton.
U.S. 202.....	From the south terminus of the West Chester Bypass north and east to I-76 near King of Prussia.

#### APPENDIX.—STATE PROPOSED OTHER QUALIFYING HIGHWAYS—Continued

Posted route No.	Route description
U.S. 219.....	From vicinity of Pennsylvania Turnpike southeast of Somerset north to U.S. 422 west of Edensburg.
U.S. 219.....	From the PA-New York St. Line to just south of Bradford.
U.S. 220.....	From Pennsylvania Turnpike Interchange 11 north to King.
U.S. 220.....	From PA 147 near Halls, north of Muncy, west to western terminus of controlled access segment at Linden.
U.S. 220.....	From just south the Athens north to NY 17 at the PA-New York St. Line.
U.S. 222/422.....	Warren Street Bypass and Extension from Pricetown Road north of Reading west to Wyo-missing.
U.S. 322.....	Commodore Barry Bridge in Chester.
U.S. 422.....	From eastern terminus of limited access segment southeast of Reading northwest to the Warren Street Bypass.
PA 9.....	Northeast Extension of Pennsylvania Turnpike from Exit 25 (I-276) southeast of Norristown to Exit 38 at I-81 north of Scranton.
PA 28.....	From PA 8 near Etna northeast to Creighton, east of the Pennsylvania Turnpike.
PA 33/U.S. 209.....	From U.S. 22 near Wilson north to I-80 at Interchange 46 near Stroudsburg via U.S. 209 at Snydersville.
PA 60/U.S. 422.....	From I-80 Interchange 1 southeast of Sharon south to including the New Castle Bypass.
PA 60.....	From PA 51 west of Beaver Falls south to U.S. 22, excluding the uncontrolled access segment near the Greater Pittsburgh International Airport.
PA 147.....	From I-80 Interchange 31 near Milton north to a junction with U.S. 220 at Halls north of Adamstown.
PA 222.....	From U.S. northeast of Lancaster to Pennsylvania Turnpike (I-76) Interchange 21 near Adamstown.
PA 283.....	From Junction of U.S. 30 north of Lancaster west to I-283 near the Pennsylvania Turnpike Interchange 19.
	Harrisburg Expressway (LR 767) from I-83 west to U.S. 11 west of Camp Hill.
	Airport Access Road (LR 1081 Spira) from PA 283 south to the Harrisburg International Airport at Middletown.
	Reading Outer Loop (LR 1035) from PA 183 near Leinbachs northeast to U.S. 222 near Tuckerton.
U.S. 6.....	From the Borough of Conneaut Lake east to just north of Meadville at the terminus of the North-South Bypass.
U.S. 11.....	From Pennsylvania Turnpike Interchange 16 east to the western terminus of the Harrisburg Expressway near Camp Hill.
U.S. 20.....	From I-90 Interchange 12 west to Northeast (PA 89).
U.S. 30.....	Uncontrolled access segment of York Bypass from North Hills Road west to a point one mile north of the junction of PA 74.
U.S. 119.....	Uncontrolled access segment northeast of Uniontown to Pennsville.
U.S. 119.....	Uncontrolled access segment from the Pennsylvania Turnpike (I-76) Interchange 8 to the Greensburg Bypass.



APPENDIX.—STATE PROPOSED OTHER  
QUALIFYING HIGHWAYS—Continued

Posted route No.	Route description
U.S. 202.....	From the PA-Delaware State Line north to West Chester Bypass.
U.S. 322.....	From the junction of I-83 and I-283 east to the junction of U.S. 422.
U.S. 422.....	From the junction of U.S. 322 east to the junction of LR 139 at the west end of Hershey.
PA 3.....	From West Chester Bypass (U.S. 202) east to Garrett Road at Upper Darby.
PA 13.....	Uncontrolled access segment from PA 413 west of Bristol northeast to the limited access segment just south of U.S. 1.
PA 42.....	From I-80 Interchange 34 south to Bloomsburg at U.S. 11.
PA 51.....	From U.S. 119 near Uniontown north to the Monongahela River at Elizabeth.
PA 54.....	From I-80 Interchange 33 south to Danville at U.S. 11.
PA 60.....	Uncontrolled access segment in the vicinity of the Greater Pittsburgh International Airport.
PA 61.....	From U.S. 222 near Tuckerton north to I-78 Interchange 9 at Hamburg.
PA 93.....	From I-81 Interchange 41 east and south to PA 924 at west end of Hazleton.
PA 114.....	From U.S. 11 near Hogestown north to I-81 Interchange 18.
PA 132.....	From I-95 near Cornwells Heights northwest to Pennsylvania Turnpike Interchange 28 via U.S. 1 connection.
PA 924.....	From junction with PA 93 west to I-81 Interchange 40 near Hazleton.
Vermont	
	None.

[FR. Doc. 83-10847 Filed 4-21-83; 8:45 am]  
BILLING CODE 4910-22-M

DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT

## 24 CFR Part 885

[Docket No. R-82-982]

**Housing for the Elderly or  
Handicapped; Amendment to  
Implement Cost Savings Procedures;  
Correction**

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Final rule; correction.

**SUMMARY:** This document makes three technical amendments. It corrects a dollar amount stated as the per-unit cost limit for one bedroom units in non-elevator buildings in the final rule published on March 18, 1983 (48 FR 11432). It adds the category of moderate rehabilitation contracts to the description of contracts between borrowers and general contractors required by § 885.415(m) to be furnished

before initial loan closing, consistent with a recent amendment to other provisions of Part 885 (47 FR 51565, November 16, 1982). It also adds one sentence to the paragraph concerning simplified cost certification to make it clear that verification by an independent Certified Public Accountant or an independent public accountant is necessary.

**FOR FURTHER INFORMATION CONTACT:** Grady J. Norris, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10276, 451 Seventh Street, SW., Washington, D.C. 20410. Telephone (202) 755-7055. (This is not a toll-free number.)

**PART 885—[AMENDED]**

Accordingly, the following corrections are made to FR Doc. 83-7090 appearing on 11432 in the issue of March 18, 1983:

**§ 885.410 [Corrected]**

1. On page 11435, column 2, in § 885.410(b)(2), "\$24,862" is corrected to read "\$24,662".

**§ 885.415 [Corrected]**

2. On page 11435, column 3, in § 885.415(m), "Construction or Substantial Rehabilitation Contract" is revised to read "Construction, Moderate Rehabilitation or Substantial Rehabilitation Contract."

3. On page 11436, column 2, paragraph (d) of § 885.425 is corrected to read as follows:

**§ 885.425 Completion of acquisition with or without moderate rehabilitation, construction or substantial rehabilitation, execution of HAP contract, and cost certification and approvals by HUD.**

\* \* \* \* \*

(d) In lieu of the requirements set forth in paragraphs (c) (1) and (3) of this section, a simplified form of cost certification prescribed by the Secretary may be completed and submitted by the Borrower for projects with mortgages of \$500,000 or less. The simplified cost certification shall be verified by an independent Certified Public Accountant or an independent public accountant in a manner acceptable to the Secretary. (Approved by the Office of Management and Budget under OMB control number 2502-0044.)

\* \* \* \* \*

Dated: April 18, 1983.

Grady J. Norris,  
Assistant, General Counsel for Regulations.

[FR Doc. 83-10688 Filed 4-21-83; 8:45 am]  
BILLING CODE 4210-27-M

## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

## 26 CFR Part 145

[T.D. 7887]

**Excise Taxes; Extension of Payment  
Due Date for Certain Fuel Taxes**

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Temporary regulations.

**SUMMARY:** This document provides temporary regulations with respect to the extension of payment due date for certain fuel taxes. Changes to the applicable law were made by the Highway Revenue Act of 1982. These regulations affect certain qualified people and provide them with the guidance needed to comply with the law.

**DATE:** The regulations apply to certain fuel taxes due after March 31, 1983.

**FOR FURTHER INFORMATION CONTACT:** Ada S. Rousso of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224 (Attention: CC:LR:T) (202-566-4336), not a toll-free call.

**SUPPLEMENTARY INFORMATION:****Background**

This document contains temporary regulations relating to the depositary requirements for fuel taxes paid by certain qualified persons under section 4081 of the Internal Revenue Code of 1954 (Code). These depositary requirements were amended by section 518 of the Highway Revenue Act of 1982 (Pub. L. 97-424, 96 Stat. 2097). The temporary regulations provided by this document will remain in effect until superseded by final regulations on this subject.

The Highway Revenue Act of 1982 (Act) was enacted as Title V of the Surface Transportation Assistance Act of 1982. Section 518(a) of the Act authorizes the Secretary to prescribe regulations which permit any qualified person whose liability for tax under section 4081 of the Code is payable with respect to semimonthly periods to have a due date of 14 days after the close of each semimonthly period if payment is made by wire transfer to any government depositary authorized under section 6302(c) of the Code.

Section 518(b) of the Act defines "qualified person" as (1) one whose average daily production of crude oil for the preceding calendar quarter does not

exceed 1,000 barrels, and (2) any independent refiner (within the meaning of section 4995(b)(4) of the Code). In addition, section 518(b)(2) of the Act provides that in determining whether any person's production exceeds 1,000 barrels per day, aggregation rules similar to the rules of section 4992(e) of the Code shall apply.

Where the 14th day after the close of a semimonthly period falls on a Saturday, Sunday, or legal holiday in the District of Columbia, section 518(c) of the Act provides a special rule whereby the due date for payment of fuel taxes shall be the immediately preceding day which is not a Saturday, Sunday or legal holiday in the District of Columbia.

#### Need for Temporary Regulations

There is a need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impracticable to issue it with notice and public procedure under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

#### Special Analyses

No general notice of proposed rulemaking is required by 5 U.S.C. 553(b) for temporary regulations. Accordingly, the Regulatory Flexibility Act does not apply and no Regulatory Flexibility Analysis is required for this rule. The Commissioner of Internal Revenue has determined that these temporary regulations are not subject to Executive Order 12291.

#### Drafting Information

The principal author of this regulation is Ada S. Rousso of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

#### List of Subjects in 26 CFR Part 145

Extended due date for payment of certain fuel taxes, Floor stocks refunds, Floor stocks tax, Highway Revenue Act of 1982, Excise taxes.

#### Adoption of Amendments to the Regulations

Accordingly, 26 CFR Part 145 is amended as follows:

#### PART 145—[AMENDED]

There is added in its appropriate place the following new section:

#### § 145.3-1 Extension of payment due date for certain fuel taxes.

(a) *In general.* For qualified persons whose liability for tax under section 4081 arises after March 31, 1983, and is payable with respect to semimonthly periods, the due date for each payment is 14 days after the close of the semimonthly period if the payment is made by wire transfer to any government depository authorized by the Secretary under section 6302(c) and § 48.6302(c)-1(c)(3) relating to the use of government depositories (or, if the payment is made by transfer between accounts in the same government depository).

(b) *Qualified person.* For purposes of paragraph (a) of this section, the term "qualified person" means any person whose average daily production of crude oil for the preceding calendar quarter does not exceed 1,000 barrels, or any independent refiner within the meaning of section 4995(b)(4) and § 51.4995-1(h) relating to independent refiners.

(c) *Aggregation rules.* To determine under paragraph (b) of this section whether any person's production exceeds 1,000 barrels per day, the rules of section 4992(e) relating to allocation within related groups shall apply. Thus, for persons who are members of the same related group (within the meaning of section 4992(e)(2)) at any time during the preceding calendar quarter, the 1,000 barrel amount will be reduced for each such person by allocating such amount among all such persons in accordance with the rules of section 4992(e).

(d) *Special rule where 14th day falls on Saturday, Sunday, or legal holiday.* If the payment due date under this section falls on a Saturday, Sunday or legal holiday in the District of Columbia, the due date shall be the immediately preceding day which is not a Saturday, Sunday or legal holiday in the District of Columbia.

(e) *Effective date.* This section will apply to payments due after March 31, 1983.

This Treasury decision is issued under the authority contained in Section 518 of the Highway Revenue Act of 1982 (96 Stat. 2097) and section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917, 26 U.S.C. 7805).

Roscoe L. Egger, Jr.,  
Commissioner of Internal Revenue.

Approved: April 15, 1983.

John E. Chapoton,  
Assistant Secretary of the Treasury.

[FR Doc. 83-10764 Filed 4-19-83; 3:40 pm]  
BILLING CODE 4830-01-M

#### DEPARTMENT OF DEFENSE

#### Office of the Secretary

#### 32 CFR Part 198

[DoD Directive 2001.1]

#### Visits by Foreign Dignitaries

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

**SUMMARY:** This final rule has been issued to establish uniform DoD policies, assign responsibilities, and provide guidance regarding the expenditure of DoD funds for expenses associated with hosting foreign dignitaries who are visiting the United States as officially invited guests of the Department of Defense.

**EFFECTIVE DATE:** This rule was approved and signed by the Deputy Secretary of Defense on September 15, 1982, and is effective as of that date.

**FOR FURTHER INFORMATION CONTACT:** Mr. Arthur H. Ehlers, Director for Organizational and Management Planning, Office of the Deputy Assistant Secretary of Defense (Administration), Washington, D.C. 20301, telephone 202-695-4278.

**SUPPLEMENTARY INFORMATION:** This rule is being submitted in compliance with 5 U.S.C., Section 552(a)(1)(D) and 1 CFR 305.76-2.B.

#### List of Subjects in 32 CFR Part 198

Foreign dignitaries, Invitations and visits to the United States, DoD funding for visits by foreign dignitaries.

Accordingly, 32 CFR, Chapter I, is amended by adding a new Part 198, reading as follows:

#### PART 198—VISITS BY FOREIGN DIGNITARIES

Sec.  
198.1 Purpose.  
198.2 Applicability.  
198.3 Policy.  
198.4 Responsibilities.  
198.5 Funding Guidelines for Visits by Foreign Dignitaries.

Authority: Title 10, United States Code.

#### § 198.1 Purpose.

This Part establishes policies and assigns responsibilities governing the use of DoD funds expended for foreign dignitaries visiting the United States as officially invited guests of the Department of Defense.

#### § 198.2 Applicability.

The provisions of this Part apply to the Office of the Secretary of Defense, the Military Departments, the

Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (referred to collectively as "DoD Components"). The term "Military Services," as used herein, refers to the Army, Navy, Air Force, and Marine Corps.

#### § 198.3 Policy.

(a) Invitations to foreign dignitaries to visit the United States at the expense of the Department of Defense shall be extended only by the Secretary of Defense, Deputy Secretary of Defense, Secretaries of the Military Departments, Chairman of the Joint Chiefs of Staff, and Service Chiefs. At their discretion, these officials may delegate, in writing, to other senior DoD officials the authority to host such visits.

(b) To the extent possible, invitations shall be limited to foreign counterparts of the officials designated in § 198.3(a) above, his or her spouse, and no more than two accompanying staff officials. In addition:

(1) Transportation to and from the United States normally shall be the responsibility of the visiting dignitary.

(2) The invitation normally shall be for a period of not more than 10 days.

(3) The tour itinerary shall be based upon the purpose of the visit as determined by the inviting official in coordination with the foreign dignitary.

(4) Whenever possible, travel within the United States shall be by U.S. military aircraft.

(5) U.S. personnel travelling with the official party shall be limited to the minimum number necessary to provide escort, interpreting, security, or other essential services which may be necessary to accomplish the purpose of the visit.

(6) When desired by the foreign official, and in the interests of the Department of Defense, the local Defense or Service Attache may be included in the official party at the discretion of the inviting official.

(c) Unless other funds are specifically authorized for use, financial obligations incurred incident to visits by foreign dignitaries shall be funded from accounts established under the emergency and extraordinary expense limitation contained in the annual operations and maintenance appropriations of the DoD Components. Utilization of these funds shall be consistent with the provisions of DoD Directive 7250.13 and the following:

(1) Expenses normally shall be charged to the accounts of the inviting official's Component. However, when a visit is assigned to a Military Service or the Defense Intelligence Agency under § 198.4(c) below, the designated

executive agent shall be responsible for the costs of carrying out the assignment, except for the following:

(i) Expenses incurred in connection with those parts of the visit that are to a DoD installation of another DoD Component, or an industrial facility performing activities related to another DoD Component. These expenses shall be charged to the accounts of the DoD Component visited.

(ii) Expenses incurred in connection with those parts of the visit that are to nonmilitary installations located in the National Capital Region, other points of national interest that are included in the itinerary as a courtesy to the foreign dignitary, and visits to DoD installations solely for the purpose of indoctrination. These expenses shall be charged to the accounts of the Secretary of Defense or Chairman of the Joint Chiefs of Staff, as appropriate.

(2) Guidelines for the type of expenditures for which DoD funds may and may not be used are at § 198.5.

#### § 198.4 Responsibilities.

(a) The Secretary or Deputy Secretary of Defense, Secretaries of the Military Departments, and Chairman of the Joint Chiefs of Staff are responsible for the overall policy, administration, and approval of expenditures for foreign dignitaries visiting the United States as officially invited guests of the Department of Defense. This responsibility may be delegated to a senior official within their respective organizations.

(b) The Assistant Secretary of Defense (International Security Affairs) and the Assistant Secretary of Defense (International Security Policy) shall advise the Secretary of Defense and provide policy guidance regarding politico-military matters in their respective geographical and functional areas of responsibility as they pertain to visits by foreign dignitaries.

(c) The Heads of the Military Services and the Defense Intelligence Agency, or designees, upon request by the authorities designated in § 198.4(d) and (e), below, shall serve as executive agents for making support service arrangements for foreign dignitaries visiting the United States at the invitation of the Secretary of Defense, Deputy Secretary of Defense, and Chairman of the Joint Chiefs of Staff or their authorized designees.

(d) The Executive Secretary of the Department of Defense shall serve as the single point of contact within the Office of the Secretary of Defense to coordinate the tasking of executive agents for visits hosted by the Secretary

of Defense and Deputy Secretary of Defense or their authorized designees.

(e) The Director of the Joint Staff shall serve as the single point of contact within the Organization of the Joint Chiefs of Staff to coordinate the tasking of executive agents for visits hosted by the Chairman of the Joint Chiefs of Staff or his authorized designees.

(f) The Executive Secretary, DoD, and the Director of the Joint Staff shall task an executive agent promptly, in writing, and shall include in the written tasking the purpose of the visit and available guidance regarding DoD activities, contractor facilities, and national points of interest to be visited.

(g) Heads of DoD Components, or their designees, authorized to expend DoD funds for visits by foreign dignitaries shall monitor their use to ensure that the highest order of propriety and integrity is maintained and that the provisions of this Part and DoD Directive 7250.13 are carefully followed.

#### § 198.5 Funding guidelines for visits by foreign dignitaries.

(a) DoD funds used to defray expenses associated with visits by foreign dignitaries must be expended in a manner which ensures that the policy objectives of the United States and the interest of the U.S. taxpayer jointly are served.

(b) This requires the exercise of sound judgment and discretion on the part of all DoD personnel engaged in planning and conducting visits by foreign dignitaries. Accordingly, the following guidelines are provided to assist in making decisions regarding the use of DoD funds.

(1) Expenses for the official party, to include authorized U.S. escort officers, may be paid for the following:

(i) Lodging;

(ii) Meals and refreshments;

(iii) Gratuities for services rendered by nongovernment personnel;

(iv) Official communications;

(v) Taxi fares or rental vehicle fees when government transportation is not available;

(vi) Valet services, such as laundry and dry cleaning, which would normally not have been incurred except for travel associated with the official visit; and

(viii) Entertainment, such as theaters, sports activities and events, concerts, and sightseeing tours.

(2) Expenses may not be paid for the following:

(i) Items of a personal nature, such as clothing, toilet articles, cigarettes, hair and beauty care, shoeshines, souvenirs;

(ii) Personal long distance telephone calls; and

(iii) Gifts or flowers to be presented by the foreign dignitary.

(3) These guidelines are not all inclusive, but are indicative of the nature of items for which DoD funds may and may not be used. In dealing with cases not covered above, individual judgment must be used, employing the above guidelines as a basis for evaluating the particular circumstances and conditions involved.

Dated: April 28, 1983.

M. S. Healy,

*OSD Federal Register Liaison Officer,  
Department of Defense.*

[FR Doc 83-10751 Filed 4-21-83; 8:45 am]

BILLING CODE 3810-01-M

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 50

#### National Capital Parks Regulations; Demonstrations in the White House Area

**AGENCY:** National Park Service, Interior.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** This interim rule with requests for comments amends § 50.19 of Title 36 of the Code of Federal Regulations concerning demonstrations and special events in the National Capital Parks to prohibit signs or placards on the White House sidewalk except those that are carried by an individual. The interim rule also amends § 50.19 of Title 36 of the Code of Federal Regulations and § 50.7(h) of the same title concerning storage of materials in park areas to prohibit the placement or storage of parcels, containers, packages, bundles or other property on the sidewalks surrounding the White House.

**DATES:** This interim rule is effective April 22, 1983, and will remain in effect until revoked, replaced or modified by a final rulemaking publication. Written comments, suggestions, or objections regarding this interim rule will be accepted until May 23, 1983.

**ADDRESS:** Written comments regarding this interim rule should be sent to Manus J. Fish, Jr., Regional Director, National Capital Region, National Park Service, 1100 Ohio Drive, S.W., Washington, D.C. 20242.

**FOR FURTHER INFORMATION CONTACT:** Sandra Alley, Associate Regional Director, Public Affairs, National Capital Region, National Park Service, 1100 Ohio Drive, S.W., Washington, D.C.

20242, telephone (202) 426-6700; Richard G. Robbins, Assistant Solicitor, National Capital Parks, Office of the Solicitor, Department of the Interior, Washington, D.C. 20240, telephone (202) 343-4338.

**SUPPLEMENTARY INFORMATION:** The following persons participated in the writing of this rule: Richard G. Robbins and Patricia S. Bangert, Office of the Solicitor, Department of the Interior.

#### Background

Recent events in the Memorial Core parks have increased security concerns for the White House and the President. On December 8, 1982, an individual backed a truck up to the Washington Monument and threatened to blow up the structure with 1,000 pounds of dynamite that he allegedly had stored in the truck. The incident, occurring a mere three blocks from the White House, highlighted the threat that could be potentially caused to the White House and the President by one determined individual.

Since the incident, the National Park Service, along with other law enforcement agencies, have reviewed present regulations applicable to the White House area to determine if regulatory changes could aid in minimizing potential threats to the structure and its occupants. Two areas of concern became evident in that review—signs or placards stationed on the White House sidewalk and parcels, containers, packages, bundles and other property placed or stored on the White House sidewalk and other sidewalks surrounding the structure. (The term White House sidewalk is defined in 36 CFR 50.19(a)(5) as "the south sidewalk of Pennsylvania Avenue, NW., between East and West Executive Avenues, NW.")

Signs or placards leaning against the White House fence, and parcels and other property placed or stored on the sidewalks, especially those left unattended, represent potential threats to the security of the area. For example, both can potentially conceal explosives or other contraband and both can potentially be used to scale the White House fence. In fact, the Secret Service reports a recent incident in which a large sign was used to facilitate the scaling of the fence.

In addition to security concerns, experience with the recent proliferation of signs or placards and parcels and other property stationed and stored on the White House sidewalk has demonstrated that the policy of allowing such activity impedes the free flow of pedestrian and emergency traffic by and through the White House and significantly diminishes the White

House experience for park visitors. For example, two individuals who have in the past and are presently maintaining a daily demonstration in front of the White House have had as many as twenty-five signs or placards leaning against the White House fence. In addition to the signs, paper bags, suitcases and other parcels containing personal belongings obstruct the view of the White House and impede the flow of pedestrian traffic.

It is the judgment of the National Park Service that certain restrictions can be placed upon the stationing of signs or placards and placement or storage of parcels and other property on the White House sidewalk which would enhance the park visitor's experience in viewing the White House and respond to security concerns without impairing the demonstrator's ability to convey a message.

#### Regulatory Changes

To accomplish the purpose of minimizing potential threats to the White House and the President, and for the other purposes outlined above, the National Park Service is amending present regulations to prohibit signs or placards on the White House sidewalk, except those that are being hand-carried by an individual. The regulation, then, is not applicable to other parks where demonstrations are permitted. (Demonstrations are not permitted on other sidewalks contiguous to the White House. 36 CFR 50.19(c)(1).)

The interim rule would not prohibit the carrying of a sign or placard during demonstrations on the White House sidewalk. Further, it would not place any restriction on the size of the sign or placard, as long as it is in fact being held or carried by an individual. The interim rule would prohibit signs or placards that are not held or carried by individuals, for example, signs that are leaned against the White House fence, signs that are left unattended on the White House sidewalk and signs that are supported by other structures. In fact, the interim rule does not dramatically change the present regulatory scheme—temporary structures are presently prohibited on the White House sidewalk under 36 CFR 50.19(e)(8).

The National Park Service believes that there is a substantial government interest in regulating the use of signs or placards on the White House sidewalk. Signs or placards not hand-carried and those left unattended cannot be easily moved in emergency situations. Signs or placards leaning against the White House fence may conceal dangerous

materials, obscure the view of law enforcement personnel and create other security problems. For example, a sign affixed to a large structure caught fire several weeks ago, seriously damaging the fence and granite post in front of the Old Executive Office Building, a few feet from the White House sidewalk and fence.

In addition, signs or placards leaning against the White House fence can obscure the view of the White House for the thousands of park visitors. Signs or placards stationed on the sidewalk also incommode the passageway and sometimes cause difficulty in maintaining smooth pedestrian flow, which may include park visitors and persons having business in the area.

The interim rule also prohibits the placement or storage of parcels, containers, packages, bundles or other property on the White House sidewalk, the west sidewalk of East Executive Avenue, N.W. between Pennsylvania Avenue, N.W. and E Street, NW., and the north sidewalk of E Street, NW. between East and West Executive Avenues, NW. The rule will not interfere with an individual who is carrying a parcel or other property along the sidewalk. In fact, it will not even subject an individual setting a parcel or other property down on the sidewalk or attending structures for up to one hour to law enforcement action unless that individual either refuses law enforcement personnel requests to search the property, or leaves the property unattended.

The National Park Service concludes, however, that when a parcel, container, package, bundle or other property is placed or stored on the sidewalks contiguous to the White House, potential security problems are created. In addition, the National Park Service concludes that parcels and other property, like signs or placards, may obscure the view of the White House by park visitors and law enforcement personnel, may be difficult to move when the sidewalk must be cleared in an emergency and may incommode the sidewalk and interfere with visitor and business pedestrian traffic.

The National Park Service believes that these minor restrictions on the stationing of signs or placards and the placement or storage of parcels, containers, packages, bundles or other property serve substantial government interests in maintenance of the security of the White House, preservation of the park experience for park visitors, and free passage of pedestrian traffic by and through the White House. The regulation

is written in a neutral manner such that all persons are prohibited from stationing signs or placards or storing parcels or other property on the sidewalks surrounding the White House. In addition, it is unrelated to the suppression of free expression and the incidental impact on First Amendment freedoms is only as great as is essential to serve the substantial government interests in security, aesthetics and free passage of pedestrian traffic. Further, the interim rule applies only to sidewalks contiguous to the White House. A substantial number of alternative forums exist close to the White House sidewalks where these restrictions do not apply.

#### Public Participation

The policy of the Department of the Interior is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the interim rule to the address noted at the beginning of the rulemaking within the time period specified.

#### Impact Analysis

The National Park Service has determined that this document is not a major rule requiring preparation of a Regulatory Impact Analysis under Executive Order 12291. The National Park Service has also determined that the interim rule will not have a significant economic impact on a substantial amount of small entities and, therefore, does not require a small entity flexibility analysis under Pub. L. 96-354. The interim rule merely places restrictions on the stationing of signs or placards and parcels and other property on sidewalks contiguous to the White House. It will have no substantial impact on any aspect of the economy.

The National Park Service has further determined that this interim rule is not a major Federal action significantly affecting the quality of the human environment.

#### List of Subjects in 36 CFR Part 50

District of Columbia, National Parks, National Capital Parks.

G. Ray Arnett,

*Assistant Secretary for Fish and Wildlife and Parks.*

Date approved: April 6, 1983.

#### PART 50—NATIONAL CAPITAL PARKS REGULATIONS

In consideration of the foregoing,

§§ 50.19 and 50.7 of Title 36 of the Code of Federal Regulations are accordingly amended.

1. The authority citation for Part 50 reads as follows:

Authority: Sec. 6, Act of July 1, 1898 (30 Stat. 571); secs. 1-3, Act of August 25, 1916 (39 Stat. 535, as amended); sec. 16, Act of March 3, 1925 (43 Stat. 1126, as amended); Act of March 17, 1948 (62 Stat. 81); Act of August 8, 1953 (67 Stat. 495); Act of July 1, 1980 (94 Stat. 872); 16 U.S.C. 1-3; D.C. Code 8-137 (1981); D.C. Code 40-721 (1981).

#### § 50.19 [Amended]

2. Section 50.19 is amended by redesignating paragraphs (e)(9) through (11) as (e)(11) through (13) and adding new paragraphs (e)(9) and (e)(10) to read as follows:

\* \* \* \* \*

(e) \* \* \*

(9) No signs or placards shall be permitted on the White House sidewalk except those signs or placards that are held or carried by an individual.

(10) No parcel, container, package, bundle or other property shall be placed or stored on the White House sidewalk or on the west sidewalk of East Executive Avenue, NW., between Pennsylvania Avenue, NW., and E Street, NW., or on the north sidewalk of E Street, NW., between East and West Executive Avenues, NW.; Provided, however, that a parcel, container, package, bundle or other property, except structures, may be set down on these sidewalks for a maximum of one hour if it is attended at all times within that time period, and law enforcement personnel are permitted to search the property.

\* \* \* \* \*

#### § 50.7 [Amended]

3. Section 50.7(h) is amended by redesignating the existing paragraph as paragraph "(1)" and by adding a paragraph "(2)", as follows:

\* \* \* \* \*

(h) *Storage.* (1) \* \* \*

(2) No parcel, container, package, bundle or other property shall be placed or stored on the White House sidewalk, as that term is defined in § 50.19(a)(5) of this part, or on the west sidewalk of East Executive Avenue, NW., between Pennsylvania Avenue, NW., and E Street, NW., or on the north sidewalk of E Street, NW., between East and West Executive Avenues, NW.; Provided,

however, that a parcel, container, package, bundle or other property, except structures, may be set down on any of these sidewalks for a maximum of one hour if it is attended at all times within that time period, and law enforcement personnel are permitted to search the property.

[FR Doc. 83-10759 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-70-M

## PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

### 36 CFR Part 902

#### Freedom of Information Act Nomenclature Change

**AGENCY:** Pennsylvania Avenue Development Corporation.

**ACTION:** Final rule.

**SUMMARY:** Responsibility for administration of the Corporation's Freedom of Information Act regulations is changed from the Public Information Officer to the Administrative Officer.

**EFFECTIVE DATE:** October 14, 1983.

**FOR FURTHER INFORMATION CONTACT:**

Madeleine B. Schaller, Attorney, Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Washington, D.C. 20004, (202) 566-1078.

### PART 902—FREEDOM OF INFORMATION ACT

The following sections are amended by removing "Public Information Officer" and substituting in lieu thereof "Administrative Officer": § 902.10; § 902.11; § 902.12 (a) and (b); § 902.13; § 902.15(a); § 902.31(b); § 902.41 (a)(3) and (b); § 902.60 (a) and (b); § 902.70; § 902.83 (a) and (b);

(40 U.S.C. 875; 5 U.S.C. 552, as amended)

Dated: April 1, 1983.

Thomas J. Regan, Jr.,

Executive Director.

[FR Doc. 83-10723 Filed 4-21-83; 8:45 am]

BILLING CODE 7630-01-M

## POSTAL SERVICE

### 39 CFR Part 601

#### Procurement of Property and Services; Amendments to Postal Contracting Manual

**AGENCY:** Postal Service.

**ACTION:** Amendments to the Postal Contracting Manual.

**SUMMARY:** The Postal Service announces a number of changes to the Postal Contracting Manual, most of which are

made to comply with Pub. L. 97-306, the Veterans' Compensation, Education, and Employment Amendments of 1982. The requirements of the statute applicable to the Postal Service include those related to the affirmative action obligations and mandatory listing of jobs by Federal contractors, and the filing of affirmative action plans by Federal entities for hiring, placement, and advancement of disabled veterans. Certain editorial changes were also made to the language of the sections changed.

**EFFECTIVE DATE:** April 19, 1983.

**FOR FURTHER INFORMATION CONTACT:** Eugene A. Keller, (202) 245-4818.

**SUPPLEMENTARY INFORMATION:** The Postal Contracting Manual, which is incorporated by reference in the *Federal Register* (see 39 CFR 601.100), has been amended by the issuance of PCM Circular 83-2, dated April 19, 1983.

In accordance with 39 CFR 601.105, notice of these changes is hereby published in the *Federal Register* and the text of the changes is filed with the Director, Office of the Federal Register. Subscribers to the basic manual will receive these amendments from the Postal Service. (For other availability of the Postal Contracting Manual, see 39 CFR 601.104.)

#### List of Subjects in 39 CFR Part 601

Government procurement.

Explanation of these amendments to the Postal Contracting Manual follows:

#### Explanation of Changes

1. PCM 7-104.48, Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era, is changed to correct an omission and deletes paragraph (d) of the veteran's clause in accordance with a Department of Labor notice published in 47 FR 4258.

2. PCM 12-1100 is changed to meet the requirements of Pub. L. 97-306.

3. PCM 12-1102(a) is changed to reflect the text of the Department of Labor regulation (41 CFR 60-250.2) implementing Pub. L. 97-306.

4. PCM 12-1102 (d) and (e) are changed to reflect the exemption provisions of Pub. L. 97-306.

Editorial changes were made in 7-104.48 and 12-1102 (a), (d), and (e) under the Clear-Language Project of the Procurement and Supply Department's Procurement-Modernization Program.

(5 U.S.C. 552(a), 39 U.S.C. 401, 404, 410, 411)

Fred Eggleston,

Assistant General Counsel, Legislative Division.

[FR Doc. 83-10715 Filed 4-21-83; 8:45 am]

BILLING CODE 7710-12-M

### 39 CFR Part 601

#### Procurement of Property and Services; Amendments to Postal Contracting Manual

**AGENCY:** Postal Service.

**ACTION:** Amendments to the Postal Contracting Manual.

**SUMMARY:** The Postal Service announces that the Informal Purchasing Limit was raised from \$20,000 to \$25,000 because the old limit was outdated. In addition, an error in the explanation of changes in PCM Circular 82-1 is corrected, and references are made to Form 7334.

**EFFECTIVE DATE:** January 13, 1983.

**FOR FURTHER INFORMATION CONTACT:** Eugene A. Keller, (202) 245-4818.

**SUPPLEMENTARY INFORMATION:** The Postal Contracting Manual, which has been incorporated by reference in the *Federal Register* (See 39 CFR 601.100), has been amended by the issuance of PCM Circular 83-1, dated January 13, 1983.

In accordance with 39 CFR 601.105, notice of these changes is hereby published in the *Federal Register* and the text of the changes is filed with the Director, Office of the Federal Register. Subscribers to the basic manual will receive these amendments from the Postal Service. (For other availability of the Postal Contracting Manual, see 39 CFR 601.104.)

#### List of Subjects in 39 CFR Part 601

Government procurement,  
Incorporation by reference.

Explanation of these amendments to the Postal Contracting Manual follows:

#### Explanation of Changes

1. In PCM Circular 82-1 (9/13/82), Explanation of Changes, policy change 2 misstated the dollar threshold (as \$100,000) above which solicitations for construction contracts are subject to legal review. The threshold is \$150,000.

2. On 1/13/83, the Informal Purchasing Limit was raised from \$20,000 to \$25,000 in a *Postal Bulletin* article. This circular revises the *Postal Contracting Manual* to reflect that change.

3. Reference is made to Form 7334, Order-Invoice-Voucher, August 1975 edition in PCM 18-301.3 (a) and (b).

(5 U.S.C. 552(a), 39 U.S.C. 401, 404, 410, 411)

Fred Eggleston,

Assistant General Counsel, Legislative Division.

[FR Doc. 83-10745 Filed 4-21-83; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION  
AGENCY

## 40 CFR Part 50

[A-FRL-2207-5]

National Ambient Air Quality  
Measurement Methodology

## Correction

In FR Doc. 83-32848 beginning on page 54896 in the issue of Monday, December 6, 1982, make the following corrections:

## Appendix A—[Corrected]

The following corrections should be made to Appendix A of 40 CFR Part 50:

1. On page 54899, middle column, paragraph 3.1, ninth line, " $25 \mu\text{g SO}_2/\text{m}^3$ " should have read " $25 \mu\text{g SO}_2/\text{m}^3$ ".
2. On page 54903, third column, paragraph 8.2.8, eleventh line, "1 N NCl" should have read "1 N HCl".

3. On page 54904, middle column, sixth line from the top, " $5^\circ \text{C}^{16}$ " should have read " $5^\circ \text{C}^{16}$ ".

4. On page 54904, third column, the equation should have been labeled as Equation 5.

5. On page 54905, first column, thirteenth line, "below  $25 \mu\text{g SO}_2/\text{m}^3$  (89)." should have read "below  $25 \mu\text{g SO}_2/\text{m}^3$  (8, 9)."

6. On the same page, second column, paragraph 9.3, ninth line, " $15 \pm 110^\circ \text{C}$ ." should have read " $15 \pm 10^\circ \text{C}$ ".

7. On page 54907, first column, under Equation 6, in the list of symbols, correct " $P_{H_2O}$ " and " $P_{H_2O}$ " to read " $P_{H_2O}$ ".

8. Same page, center column, nine lines from the bottom, "absorbance future" should have read "absorbance during future".

9. Same column, in the third and fourth lines from the bottom, " $=A$ " should have read " $A$ " in both places.

10. Same page, third column, the table should have read as follows:

Sulfite-TCM Solution	Volume of Sulfite-TCM Solution, mL	Volume of TCM, mL	Total $\mu\text{g SO}_2$ (Approx.)*
working	4.0	6.0	28.8
working	3.0	7.0	21.6
working	2.0	8.0	14.4
dilute working	10.0	0.0	7.2
dilute working	5.0	5.0	3.6
-	0.0	10.0	0.0

\*Based on working sulfite-TCM solution concentration of  $7.2 \mu\text{g SO}_2/\text{mL}$ ; the actual total  $\mu\text{g SO}_2$  must be calculated using equation 11 below.

11. In the twelfth line below the table, " $\pm^\circ \text{C}$ ." should have read " $\pm 1^\circ \text{C}$ ".

12. Same column, Equation 11 should have read as follows:

$$\mu\text{g SO}_2 = V_{\text{TCM}/\text{SO}_2} \times C_{\text{TCM}/\text{SO}_2} \times D \quad (11)$$

where

$V_{\text{TCM}/\text{SO}_2}$  = volume of sulfite-TCM solution used, mL;

$C_{\text{TCM}/\text{SO}_2}$  = concentration of sulfur dioxide in the working sulfite-TCM,  $\mu\text{g SO}_2/\text{mL}$  (from equation 4); and

$D$  = dilution factor ( $D = 1$  for the working sulfite-TCM solution;  $D = 0.1$  for the diluted working sulfite-TCM solution).

13. On page 54908, first column, the caption for paragraph 10.3 now reading "Dynamic California Procedures" should have read "Dynamic Calibration Procedures".

14. Same page, second column, under Equation 12, the list of symbols, " $O_d$ " and " $O_p$ " should have read " $Q_d$ " and " $Q_p$ ".

15. Page 54910, center column, fourth line from the top, " $O_s$ " should have read " $Q_s$ ".

16. Same column, eleventh line from the top " $\text{at } \pm 5^\circ \text{C}$ ." should have read " $\text{at } 5^\circ \pm 5^\circ \text{C}$ ".

17. Same page, third column, fourth line from the bottom, "micrograms to" should have read "micrograms of".

18. Page 54911, first column, under Equation 20, in the list of symbols, " $Q_7$ " should have read " $Q_i$ ", and in the entry for  $Q_i$ , "sampling is" should have read "sampling in".

19. Same column, at the bottom of the Data Form, " $\Sigma xy = \Sigma x^2 = \Sigma y^2 =$ " should have read " $\Sigma xy = \Sigma x^2 = \Sigma y^2 =$ ".

20. Same page, center column, in the caption for paragraph 12.5, remove " $\alpha T1$ ".

21. Same column, under paragraph 13.2, in entry 5, "After hours" should have read "After 24 hours".

## Appendix B—[Corrected]

The following corrections should be made to Appendix B of 40 CFR Part 50:

1. Same column, in paragraph 7.9.1, " $\pm^\circ \text{C}$ " should have read " $\pm 3^\circ \text{C}$ ".

2. Page 54914, first column, paragraph 8.6, ninth line, "loaded in" should have read "loaded and unloaded in".

3. Same column, paragraph 8.10, "start and stop and" should have read "start and stop".

4. Page 54915, second column, paragraph 9.3.7, " $\sqrt{\Delta H(P_2/P_{std})(298/T_2)}$ " should have read " $\sqrt{\Delta H(P_2/P_{std})(298/T_2)}$ ".

5. In the same paragraph, " $Q_{std} = 1/m \sqrt{\Delta H(P_2/P_{std})(298/T_2) - b}$ " should have read " $Q_{std} = 1/m \sqrt{\Delta H(P_2/P_{std})(298/T_2) - b}$ ".

6. Same column, in paragraph 9.3.9, twenty fifth line, "(750 mm)" should have read "(760 mm)".

7. On page 54917, first column, the equation in paragraph 10.2 should have read as follows:

$$V = Q_{std} \times t$$

## Appendix C—[Corrected]

The following correction should be made to Appendix C of 40 CFR Part 50:

On page 54922, third column, the equation at the top of the page should have read as follows:  $V = Q_{std} \times t$

$$[\text{CO}]_{\text{OUT}} = \frac{[\text{CO}]_{\text{STD}} \times F_{\text{CO}}}{F_D + F_{\text{CO}}}$$



## 40 CFR Part 60

[A-2-FRL-2351-5]

**Air Pollution Control; Standards of Performance for New Stationary Sources; Delegation of Authority to the Commonwealth of Puerto Rico****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of delegation of authority.

**SUMMARY:** This notice announces the delegation of authority by the Environmental Protection Agency to the Commonwealth of Puerto Rico to implement and enforce additional source categories of the Standards of Performance for New Stationary Sources (NSPS). This delegation was requested by the Puerto Rico Environmental Quality Board (EQB).

NSPS is an air pollution control requirement set under the Clean Air Act. NSPS are applicable to certain categories of new air pollution sources.

**EFFECTIVE DATE:** This action is effective April 22, 1983.

**FOR FURTHER INFORMATION CONTACT:** Francis W. Giaccone, Chief Air Facilities Branch, Air & Waste Management Division, Region II Office, 26 Federal Plaza, New York, New York 10278, (212) 264-9627.

**SUPPLEMENTARY INFORMATION:** Section 111(c) of the Clean Air Act directs the Administrator of the Environmental Protection Agency (EPA) to delegate EPA's authority to implement and enforce Standards of Performance for New Stationary Sources (NSPS) to any state which has submitted adequate procedures. Nevertheless, the Administrator still retains concurrent authority to enforce the standards following delegation of authority to a state.

On June 8, 1982 the Chairman of the Puerto Rico Environmental Quality Board (EQB) requested that the EPA delegate to that Board the authority to implement and enforce certain additional source categories of NSPS. The following is a complete listing of NSPS delegated to the EQB. The source categories now being delegated by today's action are identified with an asterisk(\*).

D Fossil-Fuel Fired Steam Generators for Which Construction Commenced After August 17, 1971 (Steam Generators and Lignite Fired Steam Generators)

\*Da Electric Utility Steam Generating Units for Which Construction

Commenced After September 18, 1978

E Incinerators

F Portland Cement Plants

G Nitric Acid Plants

H Sulfuric Acid Plants

I Asphalt Concrete Plants

J Petroleum Refineries—(Process Gas Combustion, Catalytic Regenerators)

\*J Petroleum Refineries—(Sulfur Recovery)

K Storage Vessels for Petroleum Liquids Constructed After June 11, 1973 and Prior to May 19, 1978

\*Ka Storage Vessels for Petroleum Liquids Constructed After May 18, 1978

L Secondary Lead Smelters

M Secondary Brass and Bronze Ingot Production Plants

N Iron and Steel Plants

O Sewage Treatment Plants

P Primary Copper Smelters

Q Primary Zinc Smelters

R Primary Lead Smelters

S Primary Aluminum Reduction Plants

T Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants

U Phosphate Fertilizer Industry: Superphosphoric Acid Plants

V Phosphate Fertilizer Industry: Diammonium Phosphate Plants

W Phosphate Fertilizer Industry: Triple Superphosphate Plants

X Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities

Y Coal Preparation Plants

Z Ferroalloy Production Facilities

AA Steel Plants: Electric Arc Furnaces

\*BB Kraft Pulp Mills

\*CC Glass Manufacturing Plants

\*DD Grain Elevators

\*GG Stationary Gas Turbines

\*HH Line Plants

*EPA's Findings*

EPA's determination that the delegation request should be approved is based on the Agency's review of the Puerto Rico Public Policy Environmental Act, Law No. 9 of 1970, 12 L.P.R.A. Sec. 1121, et. seq. and on the Puerto Rico Regulation for the Control of Atmospheric Pollution. EPA determined that such delegation is, therefore, appropriate and so notified the chairman of the EQB, in a letter dated November 19, 1982. This letter identifies the conditions under which delegation would be approved. EQB, in a letter dated January 5, 1983, requested that the EPA approve minor revisions to some of the conditions for delegation. EPA agreed to these modifications in a January 28, 1983 letter to the Chairman of the EQB. Delegation was subsequently accepted by EQB in a letter dated

March 7, 1983. Copies of all correspondence and EPA's delegation letter are available for public inspection in the Office of the Air Facilities Branch at the Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10278.

The Office of Management and Budget has exempted this action from the requirements of Section 3 of Executive Order 12991.

**PART 60—[AMENDED]**

Part 60 of Title 40 of the Code of Federal Regulations is amended by revising paragraph (b)(BBB) of § 60.4 to read as follows:

**§ 60.4 Address.**

\* \* \* \* \*

(b) \* \* \*  
(BBB) Commonwealth of Puerto Rico: Commonwealth of Puerto Rico Environmental Quality Board, P.O. Box 11488, Santurce, Puerto Rico 00910, Attention: Air Quality Area Director.  
\* \* \* \* \*

This notice is issued under the authority of Section 111 of the Clean Air Act, as amended (42 U.S.C.

Dated: April 7, 1983.

Jacqueline E. Schafer,  
Regional Administrator.

[FR Doc. 83-10738 Filed 4-21-83; 8:45 am]

**BILLING CODE 6560-50-M**

**GENERAL SERVICES ADMINISTRATION****41 CFR Ch. 101**

[FPMR Temp. Reg. E-77, Supp. 1]

**Rounding Requisition Quantities to Bulk Pack**

**AGENCY:** Office of Federal Supply and Services, GSA.

**ACTION:** Temporary regulation.

**SUMMARY:** This supplement extends to December 31, 1983, the expiration date of FPMR Temporary Regulation E-77 concerning rounding requisition quantities to bulk pack. FPMR Temporary Regulation E-77 is extended to provide additional time for comments on the regulation. Based on the comments received a decision will be made to continue or discontinue rounding requisition.

**DATES:**

Effective date: January 1, 1983.

Expiration date: December 31, 1983.



**FOR FURTHER INFORMATION CONTACT:** James W. Jeremiah, Director, Requisition Management Division ((703) 557-8570)

**SUPPLEMENTARY INFORMATION:** The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; or major increases in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

FPMR Temporary Regulation E-77 (41 CFR Chapter 101, Appendix to Subchapter E) is amended by Supplement 1 which is filed with the original document. The text of Supplement 1 will not appear in the CFR volume.

Ray Kline,

*Acting Administrator of General Services.*

[FR Doc. 83-10710 Filed 4-21-83; 8:45 am]

BILLING CODE 6820-AM

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 661

[Docket No. 30419-60]

#### Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Emergency interim rule and request for comment.

**SUMMARY:** The Secretary of Commerce issues this emergency interim rule to delay the 1983 opening date for the commercial troll salmon fishery for all salmon species except coho between Cape Blanco, Oregon, and Cape Vizcaino, California. This rule responds to an emergency by shortening the commercial troll season. The intended effect is to increase the number of fall chinook salmon that enter the Klamath River for the Indian subsistence fisheries and to continue progress

toward achieving the spawning escapement goal for that river system. This action is nondiscretionary and is required by the Magnuson Fishery Conservation and Management Act.

**DATES:** Interim rule is effective on April 19, 1983 and remains effective until modified or superseded. Comments are invited until May 1, 1983.

**ADDRESS:** Comments on and inquiries concerning this notice should be directed to H. A. Larkins, Director, Northwest Region, National Marine Fisheries Service (NMFS), 7600 Sand Point Way NE, BIN C15700, Seattle, WA 98115, or Alan W. Ford, Director, Southwest Region, NMFS, 300 South Ferry Street, Terminal Island, CA 90731.

**FOR FURTHER INFORMATION CONTACT:** H. A. Larkins, 206-527-6150, or Alan W. Ford, 213-548-2575.

**SUPPLEMENTARY INFORMATION:** Final regulations implementing the 1982 amendment to the fishery management plan for the ocean salmon fisheries off Washington, Oregon, and California (Ocean Salmon FMP), which became effective on August 30, 1982 (47 FR 38545), set open seasons and areas for the commercial troll fishery between Cape Blanco, Oregon, and the U.S.-Mexico border. According to these regulations, the commercial troll season for all salmon species except coho opened on May 1 and ended on May 31 for the area between Cape Blanco, Oregon, and the California-Oregon border. The season opened on May 1 and ended on May 24 for the area between the California-Oregon border and Point Arena, California.

At its March 1983 meeting, the Pacific Fishery Management Council (Pacific Council) adopted a 1983 amendment to its Ocean Salmon FMP that proposes a 38-day (29 percent) reduction in the commercial troll fishing season in the ocean off southern Oregon and northern California. The amendment is expected to achieve an 11.8 percent increase in the number of adult fall chinook entering the Klamath River over the 62,700 in 1982. An essential element of this reduction of the ocean harvest is to delay until May 16 the opening date of the commercial fishing season for all salmon species other than coho in the area between Cape Blanco, Oregon, and Cape Vizcaino, California. An analysis of approximately 2.7 million coded wire tags (CWT) placed in 1976-79 hatchery-reared fall chinook salmon led the Council's Salmon Plan Development Team to conclude that southern Oregon and northern California fisheries have a significant impact on Klamath River fall chinook, particularly the ocean fisheries between Coos Bay, Oregon, and Eureka,

California. The Council's amendment also will move northward about 46 miles a salmon management subarea boundary, now located at Point Arena, to Cape Vizcaino, California. Present information indicates that Cape Vizcaino more accurately delineates the southern boundary for most Klamath River chinook. This action anticipates and reflects both the Council's delayed opening date and proposed boundary change.

By unanimous vote at its March 23, 1983, meeting, the Council found that an emergency would exist in the salmon fishery if the commercial troll season between Cape Blanco, Oregon, and Cape Vizcaino, California, was not reduced. The Council estimated that failure to enact the delayed opening date in State and Federal waters between Cape Blanco and Cape Vizcaino could result in an increase in the ocean chinook harvest of about 35,000 to 45,000 chinook salmon for the two-week period between May 1 and May 15. Because about one in four chinook in this region is of Klamath origin and the ratio of the ocean catch to the in-river run of salmon is about 2 to 1 (as estimated by the Salmon Plan Development Team), the in-river run could be reduced by as many as 5,000 adult chinook salmon if this action is not effective before May 1.

The Council felt that this action should be implemented by a separate emergency rule because it doubted that the emergency regulations for the entire amendment could be effective by May 1. Under existing regulations, the commercial fishing season from Point Arena northward through Cape Vizcaino, California, to Cape Blanco, Oregon, opens on May 1. The Council was concerned about providing sufficient notice of a change in the existing regulations to allow the fishing industry a reasonable time for planning. Uncertainty about actual and proposed opening dates and boundaries could also result in potential confusion and frustrate effective enforcement by the states, NMFS, and the U.S. Coast Guard. Of additional concern was the lead time necessary for California to promulgate concurrent regulations for State waters. In California, a minimum of 10 days is required by statute to process emergency regulations after the Federal action is filed for public inspection with the Office of the Federal Register. The salmon seasons in California territorial waters currently are fixed at April 15 to September 30 by the State legislature and must be changed by emergency State regulations to conform to the Council's proposed seasons.

Section 305(e)(2)(A) of the Magnuson Fishery Conservation and Management Act (Magnuson Act), as amended by Pub. L. 97-453 on January 12, 1983, authorizes the Secretary of Commerce (Secretary) to promulgate emergency regulations if the Council finds that an emergency exists involving any fishery within its jurisdiction, whether or not a fishery plan exists for the fishery. If, the Council's finding is by unanimous vote, the Secretary must promulgate emergency regulations to address the fishing emergency. On March 23, 1983, the Council, by unanimous vote, requested the Secretary to promulgate emergency regulations.

#### Classification

The NOAA Assistant Administrator for Fisheries (Assistant Administrator) concurs with the Council's finding that these modified rules are necessary and appropriate for conservation of the salmon resources off southern Oregon and northern California, an area where a fishery emergency exists. He has determined that the Council's unanimous action is consistent with section 305(e)(2)(A) of the Magnuson Act and that these rules must be implemented as emergency rules. The Assistant Administrator also finds for good cause that the reasons justifying promulgation of these rules on an emergency basis make it impracticable and contrary to the public interest to provide notice and opportunity for comment upon, or to delay for 30 days the effective date of these emergency regulations, under the provisions of section 553 (b) and (d) of the Administrative Procedure Act.

The NOAA Administrator has determined that these rules are not "major" under E.O. 12291, and that the emergency which justified the promulgation of emergency regulations under section 305(e) of the Magnuson Act also constitutes an emergency situation under § 8(a)(1) of E.O. 12291. This conclusion was reached because the difference between this action and existing regulations for the same area is insignificant and the existing regulations were found to be nonmajor (47 FR 24135). Because it is imperative to implement these rules immediately, it is impracticable to comply with section 3(c)(3) of E.O. 12291, which requires that NOAA transmit to the Director of the Office of Management and Budget (OMB) a copy of every nonmajor rule at least 10 days prior to publication. However, a copy of these emergency regulations has been transmitted to the Director of OMB.

The Council is in the final stages of preparing a 1983 amendment to its

Ocean Salmon FMP that, upon approval and implementation, will (among other things) permanently establish these emergency rules. A notice of availability of the draft supplemental environmental impact statement for the 1983 amendment was published on February 4, 1983 (48 FR 5308). When completed, the Council's amendment will include a final supplemental environmental impact statement, a regulatory flexibility analysis as required by the Regulatory Flexibility Act, a determination of the applicability of the Paperwork Reduction Act and a determination of consistency of the amendment with the approved coastal zone management programs of Oregon, Washington, California, and the San Francisco Bay Area as required by section 307(c) of the Coastal Zone Management Act.

#### List of Subjects in 50 CFR Part 661

Fish, Fisheries, Fishing, Indians.

Dated: April 19, 1983.

Carmen J. Blondin,

*Acting Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.*

#### PART 661—OCEAN SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA

For reasons set out in the preamble, 50 CFR Part 661 is amended as follows:

1. The authority citation for Part 661 reads as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 661.20, paragraphs (a)(4)(i) and (5)(i) are revised to read as follows:

#### § 661.20 Commercial fishing.

(a) \* \* \*

(4) \* \* \*

(i) The season for all salmon species except coho begins on May 16 and ends on May 31; during this season only the gear specified in § 661.20(b)(2) may be used.

\* \* \* \* \*

(5) \* \* \*

(i) The season for all salmon species except coho begins on May 16 and ends on May 31—except for the area between Cape Vizcaino and Point Arena, California, where the season for all salmon species except coho begins on May 1 and ends on May 31. During these seasons, only gear specified in § 661.20(b)(2) may be used.

\* \* \* \* \*

[FR Doc. 83-10804 Filed 4-19-83; 5:01 pm]

BILLING CODE 3510-22-M

#### 50 CFR Part 674

[Docket No. 30318-42]

#### High Seas Salmon Fishery Off Alaska

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NOAA issues a final rule modifying a rule implementing the Fishery Management Plan for the High Seas Salmon Fishery off the Coast of Alaska East of 175 Degrees East Longitude. The rule is necessary to clarify the authority of the Director, Alaska Region (Regional Director), National Marine Fisheries Service, NOAA, to limit the harvest of chinook salmon to the appropriate level within the optimum yield range. The Regional Director would be able to prohibit fishing for any or all species of salmon in all or part of the management area by publishing a notice of closure.

**EFFECTIVE DATE:** May 20, 1983.

**ADDRESS:** Copies of the RIR/RFA and addendum are available from Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska.

**FOR FURTHER INFORMATION CONTACT:** Robert W. McVey, 907-586-7221.

**SUPPLEMENTARY INFORMATION:** The Fishery Management Plan for the High Seas Salmon Fishery off the Coast of Alaska East of 175 Degrees East Longitude (FMP) governs this fishery in the fishery conservation zone (FCZ) under the Magnuson Fishery Conservation and Management Act (Magnuson Act). The FMP provides for inseason adjustments by field order to season and area openings and closures. Implementing rules at 50 CFR 674.23 specify the procedures and criteria for issuance of field orders by the Secretary of Commerce (Secretary) under this FMP.

Given the coastwide depressed condition of many naturally produced chinook salmon stocks, the potential for change in year-class strength, and the unpredictability of chinook salmon catches during the season, NOAA sought to clarify formally the closure authority of the Secretary with respect to achieving a specific annual catch level within the optimum yield (OY) range, and to limit this closure authority to the management of chinook salmon. NOAA also proposed to eliminate the current regulatory requirement that the Secretary prohibit salmon fishing if the harvest of any other species is apt to exceed the maximum value of its range

to bring the regulations in conformity with the FMP.

The current OY range of 243,000–272,000 was established in 1981 by Amendment 2 to the FMP. In 1981 NOAA managed to troll fishery to achieve the high end of the OY range (272,000). Due to new information confirming the depressed status of many naturally produced stocks, the North Pacific Fishery Management Council (Council) and NOAA attempted to manage the 1982 fishery for a catch of 255,500 chinook salmon. The Council's recommendation for a 1983 harvest guideline is expected in March following review and analysis of the impacts of the proposed U.S.-Canada Pacific Salmon Interception Treaty. However, in the past some members of the public have argued that the current regulations limit the Secretary's authority to preventing the harvest only from exceeding the maximum OY value, i.e., 272,000, and therefore, that the Council and NOAA could not manage the fishery for a lower harvest level within the OY range. This regulatory amendment clarifies the Council's intent.

On August 6, 1982, NOAA proposed such regulatory modification (47 FR 34167), and requested comments on the proposed modification until September 20, 1982. The discussion of the basis for such modification is contained in 47 FR 34167. No comments were received on the proposed modification during the comment period.

Accordingly, NOAA amends § 674.23(a)(2) to clarify the authority of the Secretary to manage the chinook salmon fishery for a harvest level anywhere within the OY range that he determines to be necessary for conservation and management of chinook salmon. This criterion supplements those included in § 674.23(a)(1), which also authorizes inseason management actions through

field orders. In addition, NOAA amends § 674.23(a)(2) to clarify that OY ranges for the other species of salmon will not be treated as quotas. The final rule is identical to the rule proposed at 47 FR 34167.

#### Classification

The Assistant Administrator, NOAA, has determined that this final rule is necessary and appropriate for the conservation and management of salmon resources in the FCZ off Alaska, and that the action is consistent with the FMP, the national standards of the Magnuson Act, the other provisions of the Magnuson Act, and other applicable law.

An environmental impact statement is not required under the National Environmental Policy Act because the proposal is within the scope of the actions considered in the final and supplemental environmental impact statements for the FMP and both Amendments 1 and 2, which are on file with the Environmental Protection Agency.

The Administrator, NOAA has determined that this final rule is not a "major rule" under criteria specified in Executive Order 12291. The regulatory impact review/regulatory flexibility analysis (RIR/RFA) prepared on Amendment 2 to the FMP considered the current chinook OY range of 243,000–272,000 and alternative harvest levels. The RIR/RFA on Amendment 2 was updated by a 1982 addendum which covers this final regulation in terms of the Regulatory Flexibility Act as well as E.O. 12291. Therefore, the RIR/RFA supports the final regulations which allow the Secretary to fix the harvest level at any value from 243,000–272,000. A copy of the RIR/RFA and addendum may be obtained by writing the Regional Director at the above address.

This final rule neither contains a collection of information requirement

nor involves any agency in collecting or sponsoring a collection of information within the meaning of the Paperwork Reduction Act of 1980.

#### List of Subjects in 50 CFR Part 674

Administrative practice and procedure, Fish, Fishing, Reporting requirements.

Dated: April 19, 1983.

Carmen J. Blondin,

*Acting Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.*

For reasons set forth in the preamble, 50 CFR Part 674 is amended as follows:

#### PART 674—HIGH SEAS SALMON FISHERY OFF ALASKA

1. The authority citation for Part 674 reads as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 674.23, paragraph (a)(2) is revised to read as follows:

#### § 674.23 Modifications of time and area limitations.

(a) \* \* \*

(2) Following consultation with ADF&G, the Secretary shall prohibit fishing for any or all species of salmon in all or part of the management area if such a prohibition is necessary to prevent the total harvest of chinook salmon for the fishing season from exceeding either the maximum amount of the optimum yield or any other value within the optimum yield range for chinook salmon that the Secretary determines to be necessary for the conservation and management of chinook salmon. The Secretary will do this by issuing a field order in accordance with paragraph (b) of this section.

\* \* \* \* \*

[FR Doc. 83-10856 Filed 4-20-83; 12:50 pm]

BILLING CODE 3510-22-M

# Proposed Rules

Federal Register

Vol. 48, No. 79

Friday, April 22, 1983

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## FEDERAL TRADE COMMISSION

### 16 CFR Part 300

#### Amendment to Rules and Regulations Under the Wool Products Labeling Act of 1939

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of rulemaking on proposed amendment.

**SUMMARY:** The Federal Trade Commission is considering amending Part 300 of the Rules and Regulations under the Wool Products Labeling Act of 1939. The proposed amendment would delete the word "minimum" in § 300.29 and insert, in lieu thereof, the word "average." Section 300.29 sets forth the manner of labeling wool products which consist of, or are made from, miscellaneous cloth scraps comprising manufacturing byproducts and containing various fibers of undetermined percentages. The illustrations in § 300.29 show permissible labeling for wool products. Each of these illustrations requires the disclosure of the minimum percentage of recycled wool on labels.

The amendment being considered by the Commission would require that the average, rather than the minimum, percentage of recycled wool be disclosed on labels.

**DATE:** Written comments must be received on or before May 23, 1983.

**ADDRESS:** Comments may be mailed to Secretary, Federal Trade Commission, Washington, D.C. 20580.

**FOR FURTHER INFORMATION CONTACT:** Jerry R. McDonald, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 E Street NW., Washington, D.C. 20580. 202-376-2800.

**SUPPLEMENTARY INFORMATION:** In the past, the Commission has approved and the courts have issued five final consent judgments or decrees requiring that wool products be labeled with the lowest or minimum percentage of wool or recycled wool shown by fiber content

tests.<sup>1</sup> The injunctions in these decrees prohibit the defendants therein from distributing imported wool products unless they test such products for fiber content. If these tests show the percentage of any fiber to be misstated on the labels by more than 3%, the defendants are required to relabel these products with labels showing the lowest percentages of wool or recycled wool and other fibers revealed by the fiber content tests.

The purpose of the Wool Products Labeling Act of 1939 is stated in the preamble to the Act:

To protect producers, manufacturers, distributors, and consumers from the unrevealed presence of substitutes and mixtures in spun, woven, knitted, felted, or otherwise manufactured wool products, and for other purposes.

The Rule now requires that these products be labeled with the minimum percentage of recycled wool. Labeling with the minimum standard assures that the consumer will receive at least the percentage of recycled wool stated on the label. The Commission is considering changing the Rule to require that these products be labeled with the average percentage of recycled wool. Labeling with the average percentage of recycled wool may provide more accurate information to the consumer concerning the recycled wool content. Lowest percentage labeling may be as misleading as highest because it introduces a downward bias.

The Commission is interested in receiving comments on what standard should apply to labeling the recycled wool content of wool products which consist of, or are made from, miscellaneous cloth scraps comprising manufacturing byproducts and containing various fibers of undetermined percentages. If the rule is amended, the amendment would be prospective and would not require the relabeling of wool products labeled prior to the effective date of the amendment.

**Authority:** Section 6(a) of the Wool Products Labeling Act of 1939, 15 U.S.C. 68(d). Section 553 of the Administrative Procedure Act, 5 U.S.C. 553.

<sup>1</sup> *United States v. Maylis Textile Corp.*, 78 CIV. 5098 (S.D.N.Y., Nov. 13, 1978); *Intaltex, Ltd., et al.*, 81 CIV. 6752 (S.D.N.Y., Nov. 4, 1980); *United States v. Britene International Textile Corporation*, 79 CIV. 6773 (S.D.N.Y., Dec. 19, 1979); *United States v. Riccardo Pagnini Corp.*, 80 CIV. 6199 (S.D.N.Y., Nov. 6, 1980) and *United States v. Ivy International, Ltd., et al.*, 81 CIV. 6752 (S.D.N.Y., Nov. 4, 1981).

## Lists of Subjects in 16 CFR Part 300

Labeling, Textile, Trade practices. Warranties, Wool.

### PART 300—[AMENDED]

#### § 300.29 [Amended]

Based on the comments, the Commission will make a determination whether to amend § 300.29 of Title 16 by substituting the word "average" in place of "minimum".

Issued: March 14, 1983.

By direction of the Commission.

Benjamin I. Berman,

Acting Secretary.

[FR Doc. 83-10747 Filed 4-21-83; 8:45 am]

BILLING CODE 6750-01-M

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Part 250

#### Oil and Gas and Sulphur Operations in the Outer Continental Shelf

##### Correction

In FR Doc. 83-8409 beginning on page 13440, in the issue of Thursday, March 31, 1983 make the following correction:

On page 13441, column two, "§ 250.81" should read "§ 250.80-1".

BILLING CODE 1505-01-M

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 101-41

#### Change in Forms Sequence; SF 1103 Set, U.S. Government Bill of Lading

**AGENCY:** General Services Administration.

**ACTION:** Proposed rule.

**SUMMARY:** The General Services Administration (GSA) proposes to amend the Federal Property Management Regulations to change the sequence of the Standard Form (SF) 1103 set, U.S. Government Bill of Lading, by positioning one copy of SF 1103-A, Memorandum Copy, as the third form in the set and the remaining SF 1103-A's to be positioned following the SF 1103-B. The purpose of this change is to provide a clearer copy for those agencies that

transfer this document to microfilm and to provide a more legible copy for fiscal or administrative use.

**DATE:** Written comments must be received by May 23, 1983.

**ADDRESS:** Comments should be sent to the General Services Administration (BWCPR), 18th and F Streets, NW., Washington, D.C. 20405.

**FOR FURTHER INFORMATION CONTACT:** John W. Sandfort, Chief, Regulations, Procedures, and Claims Branch, Office of Transportation Audits (202-786-3014).

**SUPPLEMENTARY INFORMATION:** The GSA has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The GSA has based all administrative decisions underlying this proposed rule on adequate information concerning the need for, and consequences of, this rule;

has determined that the potential benefits to society from this proposed rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

#### List of Subjects in 41 CFR Part 101-41

Air carriers, Accounting, Claims, Freight, Freight forwarders, Government property management, Maritime carriers, Moving of household goods, Passengers services, Railroads, Transportation.

#### PART 101-41—TRANSPORTATION DOCUMENTATION AND AUDIT

It is proposed to amend 41 CFR Part 101-41 as follows:

##### Subpart 101-41.3—Freight Transportation Services Furnished for the Account of the United States

In § 101-41.302-2 paragraphs (a)(3), (4) and (5) are revised to read as follows:

#### § 101-41.302-2 Description and distribution of bills of lading.

(a) \* \* \*

(3) SF 1103-A (memorandum copy), one of two or four copies, is for use by the shipper for fiscal and administrative purposes. The remainder of the copies follow the SF 1103-B and may be used by agencies as desired.

(4) SF 1105 (freight waybill (original)) accompanies the shipment or is otherwise sent to destination in compliance with origin carrier's instructions. It also serves as the substitute billing document when the original GBL is lost.

(5) SF 1106 (freight waybill (carrier's copy)) is for disposition by the carrier.

\* \* \* \* \*

(31 U.S.C. 3726 and Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Dated: March 28, 1983.

Raymond A. Fontaine,  
Assistant Administrator for Office of Plans,  
Programs, and Financial Management,  
General Services Administration.

[FR Doc. 83-10709 Filed 4-21-83; 8:45 am]

BILLING CODE 6820-34-M

# Notices

Federal Register

Vol. 48, No. 79

Friday, April 22, 1983

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 1983 Corn, Sorghum, Barley, Oats, and Rye Program; Determination Regarding the Proclamation of 1983-Crop Program Provisions

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Notice of determination of 1983-crop program provisions for corn, sorghum, barley, oats, and rye.

**SUMMARY:** The purpose of this notice is to affirm the following determinations which have been made by the Secretary of Agriculture on September 23, 1982 with respect to the 1983 crops of corn, sorghum, barley, oats and rye: (1) The loan and purchase level per bushel shall be \$2.65 for corn, \$2.52 (\$4.50 per cwt.) for sorghum, \$2.16 for barley, \$1.36 for oats, and \$2.25 for rye; (2) the established target level per bushel is \$2.86 for corn, \$2.72 for sorghum (\$4.86 per cwt.), \$2.60 for barley, and \$1.60 for oats; (3) an acreage reduction program will be in effect for feed grains with a uniform reduction of 10 percent for corn, sorghum, barley, and oats; (4) a cash land diversion program will be in effect which requires a 10 percent conservation use acreage diversion, in addition to the 10 percent acreage reduction program, with a payment per bushel of \$1.50 for corn and sorghum, \$1.00 for barley and \$.75 for oats; (5) barley producers shall be eligible for payments; (6) malting barley shall not be exempt from the feed grain acreage reduction program; (7) grazing of conservation use acreage will not be permitted during the six principal growing months; (8) the feed grain base acreages for 1983 will remain the same as those established for 1982; and (9) neither cross compliance nor offsetting compliance shall be required. These determinations are required to be made

in accordance with Sections 105B, 107C, and 110 of the Agricultural Act of 1949 as amended (hereinafter referred to as the "1949 Act").

**EFFECTIVE DATE:** September 23, 1982.

**ADDRESS:** Dr. Howard C. Williams, Director, Analysis Division, USDA-ASCS, Room 3741, South Building, P.O. Box 2415, Washington, D.C. 20013.

**FOR FURTHER INFORMATION CONTACT:** Orville I. Overboe, Agricultural Economist, Analysis Division, ASCS-USDA, P.O. Box 2415, Washington, D.C. 20013 or call (202) 447-4417. The Final Regulatory Impact Analysis describing the options considered in developing this notice of determination is available on request from the above-named individual.

**SUPPLEMENTARY INFORMATION:** This notice has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Secretary's Memorandum No. 1512-1 and has been designated as "major". It has been determined that these program provisions will result in an annual effect on the economy of \$100 million or more.

The title and number of the federal assistance program that this notice applies to are: **TITLE—Feed Grain Production Stabilization: Number 10.055** as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this notice since there is no requirement that a notice of proposed rulemaking be published with respect to the subject matter of these determinations in accordance with 5 U.S.C. 553 or any other provision of law.

This notice sets forth determinations with respect to the following issues:

1. *Loan and Purchase Level.* Section 105B(a)(1) of the 1949 Act provides that the Secretary shall make available to producers loans and purchases for 1983 crop corn at such a level, not less than \$2.65 per bushel, as the Secretary determines will encourage the exportation of feed grains and not result in excessive total stocks of feed grains after taking into consideration the cost of producing corn, supply and demand conditions, and world prices for corn. Section 105B(a)(2) provides that the Secretary shall make available to producers loans and purchases for the 1983 crops of grain sorghum, barley, oats, and rye at such levels as the

Secretary determines is fair and reasonable in relation to the level that loans and purchases are made available for corn, taking into consideration the feeding value of such commodity in relation to corn and certain other factors specified in Section 401(b) of the 1949 Act.

2. *Established (Target) Price.* Section 105B(b)(1)(C) of the 1949 Act provides that the established price for 1983 corn shall not be less than \$2.86 per bushel. The Secretary may adjust this established price to reflect any change in (i) the average adjusted cost of production per acre for the two crop years immediately preceding the year for which the determination is made from (ii) the average adjusted cost of production per acre for the two crop years immediately preceding the year previous to the one for which the determination is made. Section 105B(b)(1)(E) of the 1949 Act provides that the payment rate for grain sorghum, oats, and, if designated by the Secretary, barley, shall be such rate as the Secretary determines fair and reasonable in relation to the rate at which payments are made available for corn.

3. *Acreage Reduction Program (ARP).* Section 105B(e)(1) and (2) of the 1949 Act requires the Secretary to provide for a combination of an acreage reduction program and a land diversion program under which the acreage planted to feed grains for harvest on the farm would be limited to the acreage base for that farm reduced by a total of 15 percent, consisting of a reduction of 10 percent under the acreage reduction program and a reduction of 5 percent under the land diversion program. As a condition of eligibility for loans, purchases, and payments on the 1983 crop of feed grains, a producer must comply with the terms and conditions of the combined acreage reduction and land diversion program. The acreage base to be used for a farm under the 1983 program shall be the same as the acreage base applicable to the farm under the acreage reduction program for the 1982 crop, adjusted to reflect established crop rotation practices and to reflect such other factors as the Secretary determines should be considered in determining a fair and equitable base. If an acreage reduction program is in effect for any crop, the national program acreage, program allocation factor and

voluntary acreage reduction provisions are not applicable to such crop. The individual farm program acreage shall be the acreage planted on the farm to feed grains for harvest within the permitted feed grain acreage for the farm.

4. *Exemption of Malting Barley.* In accordance with Section 105B(e)(2) of the 1949 Act, the Secretary may provide that no producer of malting barley shall be required as a condition of eligibility for feed grain loans, purchases, and payments to comply with any acreage limitation if such producer has previously produced a malting variety of barley, plants barley only of an acceptable malting variety for harvest, and meets other conditions as the Secretary may prescribe.

5. *Set-Aside Program.* Sections 105B(e)(1) and (3) of the 1949 Act provide that the Secretary may provide for a set-aside program if he determines that the total supply of feed grains, in the absence of such a program, will be excessive, taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency.

6. *Land Diversion Program.* Section 105B(e)(5) of the 1949 Act, as amended, requires that the Secretary implement a land diversion program for the 1983 crop of feed grains under which the Secretary shall make crop retirement and conservation payments to any producer of the 1983 crop of feed grains whose acreage planted to feed grains for harvest on the farm is reduced so that it does not exceed the feed grain acreage base for the farm less an amount equivalent to 5 percent of the feed grain acreage base in addition to the 10 percent reduction required by the acreage reduction program. Such payments shall be made in an amount computed by multiplying (i) the diversion payment rate, by (ii) the farm program payment yield for the crop by (iii) the additional acreage diverted under the land diversion program. The diversion payment rate shall be established by the Secretary at not less than \$1.50 per bushel for corn, except that the rate may be reduced up to 10 percent if the Secretary determines that the same program objective could be achieved with the lower rate. The payment rate for grain sorghums, oats, and if designated by the Secretary, barley, shall be such rate as the Secretary determines is fair and reasonable in relation to the rate at which payments are made available for corn. The Secretary shall make not less than 50 percent of any land diversion

program payments to producers of the 1983 crop as soon as practicable after a producer enters into a land diversion contract with the Secretary and in advance of any determination of performance, but in no case prior to October 1, 1982. If a producer fails to comply with a land diversion contract after obtaining an advance payment under this paragraph, the producer shall repay the advance immediately and, in accordance with regulations issued by the Secretary, pay interest on the advance.

7. *The National Program Acreage (NPA).* Section 105B(c)(1) of the 1949 Act provides that the Secretary shall proclaim an NPA for the 1983 crop of feed grains not later than November 15, 1982. The NPA for feed grains shall be the number of harvested acres the Secretary determines (on the basis of the weighted national average of the farm program payment yields for the 1983 crop) will produce the quantity (less imports) that the Secretary estimates will be utilized domestically and for export during the 1983/84 marketing year. The NPA provisions do not apply if an acreage reduction program is implemented for the 1983 crop of feed grains.

8. *Voluntary Reduction Percentage.* Section 105B(c)(3) of the 1949 Act provides that the 1983 individual farm program acreage of feed grains eligible for payments shall not be reduced by application of an allocation factor if the producer reduces the acreage of feed grains planted for harvest on the farm from the 1983-crop established feed grains acreage base by at least the percentage recommended by the Secretary in his proclamation of the NPA for the 1983 crop. If an acreage reduction program is implemented for the 1983 crop of feed grains, the voluntary reduction percentage shall not be applicable to such crop.

9. *Grazing and Haying of Designated Acreage Reduction Program Acreage.* Section 105B(e)(4) of the 1949 Act provides the Secretary may permit all or any part of designated conservation use acreage to be devoted to sweet sorghum, hay and grazing or the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, crambe, plantago ovato, flaxseed, triticale, rye, or other commodity, if he determines such crop production is needed to provide an adequate supply of such commodities, is not likely to increase the cost of price support programs, and will not affect farm income adversely.

10. *Producer Reserve Program.* Section 110 of the 1949 Act provides that the Secretary shall formulate and

administer a program under which producers of feed grains will be able to store feed grains when in abundant supply and extend the time for their orderly marketing. Under such program, the Secretary shall make original or extended price support loans to producers at such level of support as the Secretary determines appropriate, except that the loan rate shall not be less than the current level of support provided for under the feed grain program established in accordance with Section 105B of the 1949 Act. The program may provide for (1) repayment of such loans in not less than 3 years nor more than 5 years; (2) payments to producers for storage in such amounts and under such conditions as are determined appropriate to encourage producers to participate in the program; (3) a rate of interest not less than the rate of interest charged the Commodity Credit Corporation by the United States Treasury, except that the Secretary may waive or adjust such interest as the Secretary deems appropriate; (4) recovery of amounts paid for storage, and for the payment of additional interest or other charges if such loans are repaid by producers before the market price for feed grains has reached the trigger release level; and (5) conditions designed to induce producers to redeem and market the feed grains securing such loans without regard to the maturity dates thereof whenever the Secretary determines that the market price for feed grains has attained a specific trigger release level, as determined by the Secretary. The Secretary shall announce the terms and conditions of the producer storage program as far in advance of making loans as practicable. In such announcements, the Secretary shall specify the quantity of feed grains to be stored under the program which the Secretary determines appropriate to promote the orderly marketing of feed grains. The Secretary may place an upper limit on the amount of feed grains placed in the reserve but such upper limit may not be less than 1 billion bushels.

11. *Offsetting Compliance.* Section 105B of the 1949 Act provides that the Secretary may implement offsetting compliance requirements as a condition of eligibility for program benefits. If offsetting compliance is required, operators and owners of farms would have to ensure that all their farms were complying with program requirements under the feed grain program such as planting within the established feed grain acreage bases or the normal crop



acreage established for these farms in order to be eligible for program benefits.

12. *Advance Payments.* Section 107C of the 1949 Act requires that the Secretary shall make available to producers who participate in the acreage reduction program advance deficiency payments if the Secretary determines that deficiency payments will likely be made.

For the 1983 crop of feed grains if the Secretary establishes an acreage limitation or acreage set-aside program for a crop of feed grains under section 105B(e) and determines that deficiency payments will likely be made for such commodity for such crop, the Secretary shall make available advance deficiency payments to producers who agree to participate in such program.

In any case in which the deficiency payment payable to a producer for a crop, as finally determined by the Secretary under section 105B(b)(1), is less than the amount paid to the producer as an advance deficiency payment for the crop under this section, the producer shall refund an amount equal to the difference between the amount advanced and the amount finally determined by the Secretary, to be payable to the producers as a deficiency payment for the crop concerned.

If the Secretary determines in accordance with section 105B(b)(1) that deficiency payments will not be made available to producers on a crop with respect to which advance deficiency payments already have been made, the producers who received such advance payments shall refund such payments. Any refund required shall be due at the end of the marketing year for the crop with respect to which such payments were made. If a producer fails to comply with the requirements under the acreage reduction or set-aside program involved (and, in the case of the 1983 crops of feed grains, the requirements of the land diversion program involved) after obtaining an advance deficiency payment under this section, the producer shall repay immediately the amount of the advance, plus interest thereon, in such amount as the Secretary shall prescribe by regulations.

A notice that the Secretary was preparing to make determinations with respect to the 1983 crop of feed grains was published in the *Federal Register* on July 27, 1982 (47 FR 32461) and provided for a 30-day comment period. The comment period was limited to 30 days to allow the Secretary sufficient time to properly consider the comments received before the final program determinations were made. A total of 521 comments were received from 30

states. Included in this total were comments from four national organizations and two members of Congress. A summary of the responses is as follows:

1. *Loan and Purchase Level:* There were 249 comments. The majority of those comments (236) pertained to the loan and purchase level for corn with 81 percent favoring an increase in the loan and purchase level, 12 percent favoring the minimum statutory level, 3 percent favoring a reduced level, and 4 percent favoring elimination of any loan and purchase level. Those favoring an increase of the loan and purchase level suggested levels ranging from \$2.75 per bushel to 100 percent of parity.

2. *Established (Target) Prices.* Eighty-seven comments were received pertaining to the establishment of the target price level. The majority, 83 percent, favored an increase in the target price of corn above the statutory minimum of \$2.86 per bushel, with suggested target prices ranging from \$3.00 to \$4.00. Most comments favored a target price of \$3.00 per bushel.

3. *Voluntary Program Reduction.* Ten comments were received relating to a possible voluntary acreage reduction program. Ninety percent of those comments opposed a voluntary acreage reduction program on the grounds that it would fail to result in a significant reduction of feed grain acreage.

4. *Acreage Reduction Program (ARP).* There were 175 comments relating to possible implementation of an ARP with 87 percent favoring some form of ARP. The majority of those favoring an ARP favored a 10 percent acreage reduction rate although the suggested percentage ranged from 5 to 100 percent.

5. *Acreage Bases for Nonparticipants.* Eighty-eight comments related to the establishment of acreage bases for nonparticipants of an ARP. The majority (67%) favored a formula for establishing acreage bases which would reward those who participate in the 1982 ARP.

6. *Set-Aside Program Provisions.* Ten comments related to the establishment and extent of a set-aside program. All favored a set-aside program and suggested set-aside rates which ranged from 10 to 25 percent, with 40 percent favoring a 10-15 percent set-aside.

7. *Inclusion of Barley in the Feed Grain Program.* Eight comments concerned this issue with the majority favoring inclusion of barley in the feed grain program.

8. *Exclusion of Malting Barley from the ARP.* Of a total thirty-four comments, 74 percent were opposed to excluding malting barley from any ARP.

9. *Grazing and Haying of Designated ARP Acreage.* Twenty-three comments

were received regarding whether or not to allow haying and grazing of ARP designated acreage. Sixty-one percent favored provisions which would permit haying and grazing of designated ARP acreage. Another 13 percent favored provisions which would permit grazing only.

10. *Land Diversion Program (LDP).* Eighty-two percent of a total of 251 comments favored establishment of a LDP. Of those favoring a LDP, 47 percent favored a combined LDP and ARP while 35 percent favored a LDP only.

11. *Offsetting Compliance.* Twenty-two comments related to the issue of whether or not offsetting compliance requirements should be imposed. The majority (73%) opposed imposition of any such requirements.

A number of the determinations with respect to the feed grain program are required to be made by Section 105B(e)(1) of the 1949 Act not later than November 15 prior to the calendar year in which the crop is harvested. On September 23, 1982, the Secretary announced by press release the various program determinations for the 1983 crop of feed grains. Accordingly, the purpose of this notice is to affirm the program determinations which have previously been announced on September 23, 1982. Thus, it has been determined that no further public rulemaking is required with respect to the following determinations:

#### Determinations

1. *Loan and Purchase Level.* In accordance with Sections 105B(a) (1) and (2) of the 1949 Act, it has been determined that the loan and purchase level per bushel shall be \$2.65 for corn, \$2.52 (\$4.50 per cwt.) for grain sorghum, \$2.16 for barley, \$1.36 for oats, and \$2.25 for rye.

2. *Established (Target) Price.* In accordance with Section 105B(b)(1)(C) of the 1949 Act, it has been determined that the established (target) price per bushel shall be \$2.86 for corn, \$2.72 (\$4.86 per cwt.) for grain sorghum, \$2.60 for barley, and \$1.60 for oats.

3. *Acreage Reduction Program (ARP).* In accordance with Section 105B(e)(2) of the 1949 Act, it has been determined that a 20 percent reduction shall be applicable to the acreage planted to feed grains in 1983. Producers will be required to reduce their acreage bases by 10 percent for the acreage reduction program and 10 percent for the land diversion program for a total of a 20 percent reduction. Producers will be required to reduce their acreage by the combined total of the acreage reduction and the land diversion program in order



to be eligible for loans, purchases, and payments for the 1983 crop of feed grains. The Secretary has determined that the total supply of feed grains, in the absence of such limitations, will be excessive taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency. This option was selected because it provides the best balance between the multiple objectives of providing adequate feed grain supplies for domestic and foreign utilization, while maintaining adequate carryover stocks, supporting farm income, combating inflation, holding down Treasury costs and conserving natural resources.

Land designated for conservation use must be cropland that was devoted to row crops or small grains in two of the last 3 years, except that for land to be designated for conservation use that is in a summer fallow rotation, the requirement is 1 of the last 2 years.

Eligible land on which permanent conservation practices were established in 1982 or a subsequent year will be eligible for designation as conservation use acreage under any acreage reduction, set-aside, or diversion program authorized by the 1949 Act, so long as the conservation practice is maintained. These conservation practices will be eligible for costshare payments under the Agricultural Conservation Program.

**4. Barley.** In accordance with Section 105B(b)(1)(E) of the 1949 Act, it has been determined that barley is eligible for deficiency, disaster, and crash land diversion payments.

**5. Exemption of Malting Barley.** In accordance with Section 105B(e)(2) of the 1949 Act, it has been determined that malting barley shall not be exempt from the feed grain acreage reduction program.

**6. Set-Aside Program.** In accordance with Sections 105B(e)(1) and (3) of the 1949 Act, it has been determined that there will be no set-aside program for the 1983 crop of feed grains since an acreage reduction program has been made applicable to the 1983 crops.

**7. Land Diversion Program (LDP).** In accordance with Section 105B(e)(5) of the 1949 Act, it has been determined that cash land diversion payments are necessary to assist in adjusting the total national acreage of feed grains to desirable goals and, therefore, such payments will be made for the 1983 crop of corn and sorghum at \$1.50 per bushel, barley at \$1.00 per bushel, and oats at \$.75 per bushel multiplied by the farm program yield times the acreage diverted.

**8. National Program Acreage.** In accordance with Sections 105B(c)(1) and 105B(e)(2) of the 1949 Act, it has been determined that the NPA will not be applicable for the 1983 crop of feed grains since an acreage reduction program has been announced.

**9. Voluntary Reduction Percentage.** In accordance with Sections 105B(c)(3) and 105B(e)(2) of the 1949 Act, it has been determined that the voluntary reduction percentage will not be applicable for the 1983 crop of feed grains since an acreage reduction program has been announced.

**10. Grazing and Haying of Designated ARP Acreage.** In accordance with Section 105B(e)(4) of the 1949 Act, it has been determined that feed grain producers shall not be permitted to hay or plant alternate crops on designated acreage reduction program acreage. Grazing of the conservation use acreage will be authorized during the six principal non-growing months as determined by the State ASC committees.

**11. Offsetting Compliance.** Offsetting compliance will not be required as a condition of eligibility for a feed grain producer to participate in the 1983 acreage reduction and land diversion programs.

**12. Advance Payments.** Producers, at the time they sign up for the program, may request an advance of 50 percent of the cash diversion payment and of any projected deficiency payment. A producer accepting an advance payment, but who later does not comply with program provisions, must refund the amount of the advance payment with interest. Interest charged will be the rate in effect for commodity loans on the date of the advance payment, plus five percentage points.

**Authority:** Secs. 105B, 107C, 110, 1001; 95 Stat. 1227, as amended, 96 Stat. 766, 95 Stat. 1257, 91 Stat. 950, as amended (7 U.S.C. 1444d, 1445b-2, 1445e, and 1309).

Signed in Washington, D.C., April 15, 1983.

**C. Hoke Leggett,**

*Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 83-10725 Filed 4-21-83; 8:45 am]

**BILLING CODE 3410-05-M**

## **Soil Conservation Service**

### **Bynum Park RC&D Measure; Richmond County, North Carolina; Environmental Impact**

**AGENCY:** Soil Conservation Service, USDA.

**ACTION:** Notice of a finding of no significant impact.

## **FOR FURTHER INFORMATION CONTACT:**

Mr. Coy A. Garrett, State Conservationist, Soil Conservation Service, Room 544, Federal Building, 310 New Bern Avenue, Raleigh, North Carolina 27611, Telephone (919) 755-4210.

Notice: Pursuant to Section 102(2) of the National Environmental Policy Act of 1969, the Council on Environmental Quality Guidelines, (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Bynum Park RC&D Measure, Richmond County, North Carolina.

The environmental assessment of this Federally assisted action indicates that the project will not cause significant local, regional or national impacts on the environment. As a result of these findings, Mr. Coy A. Garrett, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for critical area treatment on a county recreational facility. The planned improvements include installing diversions, grassed waterways, riprap outlets, pedestrian walkways, traffic control barriers, pipes, and grading and seeding bare and eroding areas to permanent vegetation. All treatment is aimed at erosion control and disposing of surface water at a nonerosive velocity.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Coy A. Garrett. An environmental impact appraisal has been prepared and sent to various Federal, State and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests at the above address.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the Federal Register.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable.)

Dated: April 7, 1983.

Coy A. Garrett,  
State Conservationist

[FR Doc. 83-10421 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-16-M

### **Cape Hatteras School, RC&D Measure, North Carolina; Environmental Impact**

**AGENCY:** Soil Conservation Service, Department of Agriculture.

**ACTION:** Notice of a finding of no significant impact.

**SUMMARY:** Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Cape Hatteras School, RC&D Measure, Dare County, North Carolina.

**FOR FURTHER INFORMATION CONTACT:** Mr. Coy A. Garrett, State Conservationist, Soil Conservation Service, Room 544, Federal Building, 310 New Bern Avenue, Raleigh, North Carolina 27611, Telephone (919) 755-4210.

**SUPPLEMENTARY INFORMATION:** The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Coy A. Garrett, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The planned works of improvement include the installation of approximately 850 linear feet of collection pipe to dispose of excess water through gravity flow. Twelve catch basins will be installed to collect and remove excess surface water. Downspouts will be connected to each individual gutter pipe to direct surface water into catch basins and collection pipe. One flap gate will be attached to outlet pipe to prevent high wind tides from backing into collection system. All disturbed areas will be revegetated using adapted plant materials.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during

the environmental assessment are on file and may be reviewed by contacting Mr. Coy A. Garrett.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: April 7, 1983.

Coy A. Garrett,  
State Conservationist.

[FR Doc. 83-10422 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-16-M

### **Creswell High School, RC&D Measure, North Carolina; Environmental Impact**

**AGENCY:** Soil Conservation Service, Department of Agriculture.

**ACTION:** Notice of a finding of no significant impact.

**SUMMARY:** Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Creswell High School RC&D Measure, Washington County, North Carolina.

**FOR FURTHER INFORMATION CONTACT:** Mr. Coy A. Garrett, State Conservationist, Soil Conservation Service, Room 544, Federal Building, 310 New Bern Avenue, Raleigh, North Carolina 27611, Telephone (919) 755-4210.

**SUPPLEMENTARY INFORMATION:** The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Coy A. Garrett, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns a plan for reducing flooding and for improving drainage on the school grounds. The planned works of improvement include installing catch basins, pipes and sub-surface drainage tubing. Grading and shaping will be done to improve surface drainage and to eliminate ponding. All disturbed areas will be seeded with adapted permanent vegetation.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Coy A. Garrett.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular A-95 regarding State and Local Clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: April 7, 1983.

Coy A. Garrett,  
State Conservationist.

[FR Doc. 83-10423 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-16-M

### **Indian Brook Watershed, N.H.; Intent to Deauthorize Federal Funding**

**AGENCY:** Soil Conservation Service, USDA.

**ACTION:** Notice of Intent to Deauthorize Federal Funding.

**SUMMARY:** Pursuant to the Watershed Protection and Flood Prevention Act, Pub. L. 83-566, and the Soil Conservation Service Guidelines (7 CFR Part 622), the Soil Conservation Service gives notice of the intent to deauthorize Federal funding for the Indian Brook Watershed project, Coos County, New Hampshire.

**FOR FURTHER INFORMATION CONTACT:** Richard L. Porter, State Conservationist, Soil Conservation Service, Federal Building, Box G, Durham, NH 03824, telephone (603) 868-7581.

**SUPPLEMENTARY INFORMATION:** A determination has been made by Richard L. Porter that the proposed works of improvement for the Indian Brook Watershed project will not be installed. The sponsoring local organizations have concurred in this determination and agree that Federal funding should be deauthorized for the project. Information regarding this determination may be obtained from Richard L. Porter, State Conservationist, at the above address and telephone number.

No administrative action on implementation of the proposed

deauthorization will be taken until 60 days after the date of this publication in the Federal Register.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: April 12, 1983.

Richard L. Porter,  
State Conservationist.

(FR Doc. 83-10567 Filed 4-21-83; 8:45 am)

BILLING CODE 3410-16-M

### Turkey-Clay Creek Watershed, South Dakota; Availability of Record of Decision

**AGENCY:** Soil Conservation Service, USDA.

**ACTION:** Notice of Availability of a Record of Decision.

**SUMMARY:** Robert D. Swenson, responsible Federal official for projects administered under the provisions of Pub. L. 83-566, 16 U.S.C. 1001-1008, in the State of South Dakota, is hereby providing notification that a record of decision to proceed with the installation of the Turkey-Clay Creek Watershed project is available. Single copies of this record of decision may be obtained from Robert D. Swenson at the address shown below.

**FOR FURTHER INFORMATION CONTACT:** Robert D. Swenson, State Conservationist, Soil Conservation Service, 200 Fourth Street SW., Huron, South Dakota 57350, telephone 605-352-8651.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable.)

Dated: April 12, 1983.

Robert D. Swenson,  
State Conservationist.

Record of Decision, Turkey-Clay Creek Watershed, Clay, Hutchinson, Turner and Yankton Counties, South Dakota

1. *Purpose:* As State Conservationist for the Soil Conservation Service, I am the Responsible Federal Official (RFO) for all Soil Conservation Service projects in South Dakota.

The recommended plan for the Turkey-Clay Creek Watershed involves works of improvement to be installed under authorities administered by the Soil Conservation Service. This project includes the installation of nine single-purpose flood prevention structures, nine sediment basins, 10.2 miles of

main channel and 55.3 miles of laterals to be modified, and mitigation.

The Turkey-Clay Creek Watershed plan was prepared under the authority of the Watershed Protection and Flood Prevention Act (Pub. L. 566, 83rd Congress, 68 Stat. 666, as amended) by the Clay, Hutchinson, Turner and Yankton Soil and Water Conservation Districts and the Turkey-Clay Creek Watershed District. Local residents began holding informal meetings in 1965. A steering committee submitted an application for federal assistance to the South Dakota Conservation Commission in May 1966. The Commission conducted a public field examination in September 1966. The South Dakota Conservation Commission approved the application in October 1966, and the South Dakota Water Resources Commission approved the application in January 1967. The application for planning assistance was submitted to the Administrator of the Soil Conservation Service in February 1967.

2. *Measures Taken to Comply with National Environmental Policies:* The Turkey-Clay Creek Watershed project has been planned in accordance with existing Federal legislation concerned with the preservation of environmental values. The following actions were taken to insure that the Turkey-Clay Creek Watershed plan is consistent with national goals and policies.

Several educational programs were conducted to inform people about procedures in organizing and planning a watershed district. The Turkey-Clay Creek Watershed District was officially organized on March 26, 1970. The referendum passed by 72 percent of the 230 votes cast.

The Soil Conservation Service's Watershed Planning Staff began gathering data for the preliminary investigation in 1971 and 1972. A number of public meetings were held to achieve more public participation in determining the problems, concerns, and objectives of the local people and special interest groups. Annual meetings were held, usually in March, to inform the public of planning progress.

Additional meetings were held with various groups to discuss the potential environmental impacts of the project. Such a meeting was held on October 16 and 17, 1973, with several agencies providing comments. The administrator of the Soil Conservation Service issued formal approval to develop a watershed plan in June 1975.

Meetings were held with representatives of the Environmental Protection Agency and the U.S. Fish and Wildlife Service in November 1976 and with the U.S. Fish and Wildlife Service and the South Dakota Department of Game, Fish and Parks on June 20, 1977. The purpose of these meetings was to discuss evaluations of alternative plans and their potential impact on the environment.

As part of the environmental evaluation, two major inventories were initiated. An inventory of land quality and quantity was conducted by the Soil Conservation Service. The purpose of this inventory was to determine the status of land treatment already installed in the watershed and the additional land treatment needed.

The second inventory was an evaluation of water quality conditions in the watershed.

This was done under contract. Several other evaluations were made of wetland conditions, wildlife habitat and other factors which might be influenced by structural measures.

The Soil Conservation Service along with input from sponsors was involved in formulating several alternatives. These served as the basis of the national economic development plan, environmental quality plan and other alternatives set forth for consideration by the local sponsors, and the concerned public. A public meeting was held at Irene, South Dakota on March 23, 1976 with 31 people in attendance. The purpose of this meeting was to provide suggestions and react to the various alternatives being formulated for the Preliminary Investigation Report.

Alternative plans displayed in the Preliminary Investigation Report, dated August 1976, were discussed at a public meeting at Volin, South Dakota on September 13, 1976 with 50 people in attendance. The potential benefits and possible environmental impacts of the various plans were evaluated. This discussion served as a basis for a tentative selection of structural measures to be included in the final plan. (All public meetings were announced in local newspapers and through other media such as radio and television.)

Since submitting their application for assistance, the watershed district board of managers has carried out an educational program designed to inform the general public and watershed residents of planning progress. This included meetings advertised in advance in local newspapers. Public tours of other watersheds have been sponsored by the district board, and public meetings have been held to discuss the various proposed measures.

During project formulation, the Soil Conservation Service, and U.S. Fish and Wildlife Service in consultation with the South Dakota Department of Game, Fish and Parks made a detailed evaluation of environmental impacts for the recommended plan. Mitigation measures recommended by these three agencies were presented to the sponsors on January 9, 1979. The sponsors agreed to the mitigation measures and they were incorporated into the project plan.

Interagency consultation as required by Section 7 of the Endangered Species Act of 1973, amended 1978, was activated on March 28, 1979. The U.S. Fish and Wildlife Service, the responsible agency, advised SCS on April 10, 1979, that the American peregrine falcon (*Falco peregrinus anatum*) and the bald eagle (*Haliaeetus leucocephalus*) may be present in the Turkey-Clay Creek project area.

Their findings required a biological evaluation by SCS concerning these two species. This evaluation completed on May 18, 1979, recognizes that the peregrine falcon and bald eagle may make migratory over flights and feeding/resting stops within the watershed, but that the watershed contains no critical habitats for these species. It also recognizes that the project works of improvement will have no adverse impacts on these species or their habitats. The U.S. Fish and Wildlife Service has reviewed the

SCS biological evaluation, and other available data, and have expressed no concerns.

The South Dakota State Archaeologist and the State Historical Preservation Officer were consulted to determine present historical and archaeological resources in the watershed and the impact of the proposed project measures on these resources. The project will not affect any known historical sites. The Soil Conservation Service will contract qualified personnel to conduct archaeological surveys of proposed land disturbance locations, prior to construction. SCS procedures to implement compliance with regulations of executive orders for the protection of historic and cultural properties will be followed. The sponsors are also responsible for compliance with State water laws, Section 10 of the River and Harbor Act, Section 404 of Pub. L. 92-500, and Executive Order 1990.

On October 29, 1980 project sponsors and Soil Conservation Service representatives met and the sponsors approved the Draft Turkey-Clay Creek Watershed Plan and Environmental Impact Statement. About 200 agencies, conservation groups and organizations were asked to comment on the Draft Watershed Plan and Environmental Impact Statement.

The consequences of a full range of reasonable and viable alternatives to specific project features were considered, studied, and analyzed. In reviewing these alternatives, all courses of action that could reasonably accomplish the project purposes were considered. Attempts were made to identify the economic, social, and environmental values affected by each alternative. In accordance with existing policy and procedures, the possibilities of structural and nonstructural alternatives for the project were considered.

3. *Conclusions.* The following conclusions were reached after carefully reviewing the proposed project in light of all national goals and policies, particularly those expressed in the National Environmental Policy Act, and after evaluating the overall merit of possible alternatives to the project:

a. The project will employ a reasonable and practicable means that is consistent with the National Environmental Policy Act while permitting the application of other national policies and interests. These means include, but are not limited to, a project planned and designed to minimize adverse effects on the natural environment, while accomplishing an authorized project purpose.

b. The Turkey-Clay Creek Watershed project was planned using a systematic interdisciplinary approach involving integrated uses of the natural and social sciences and environmental design arts. The results of this review constitutes the basis for the conclusions and recommendations. All conclusions concerning the environmental impact of the project and overall merit of existing plans were based on a review of data and information that would be reasonably expected to reveal significant environmental consequences of the proposed project. These data included additional studies prepared specifically for the project and comments and views of all interested Federal, State and local agencies and individuals.

c. In studying and evaluating the environmental impact of the project, every effort was made to express all environmental values quantitatively. Any failure to quantify particular environmental amenities and values is the result of the absence of a methodology having general scientific acceptance. Nevertheless, every effort was made to identify and give appropriate weight and consideration of nonquantifiable environmental values.

d. Wherever legitimate conflicts of scientific theory and conclusions existed and conclusions led to different views, persons qualified in the appropriate environmental disciplines were consulted. Theories and conclusions appearing to be most reasonable, scientifically acceptable, or both were adopted.

e. Every possible effort has been made to identify those adverse environmental effects which cannot be avoided if the project is constructed.

f. The long-term and short-term resource uses, long-term productivity, and the irreversible and irretrievable commitment of resources are accurately described in the final environmental impact statement.

g. All reasonable and viable alternatives to project features and to the project itself were studied and analyzed with reference to national policies and goals, especially those expressed in the National Environmental Policy Act and the Federal waters resource development legislation under which the project was planned. Each possible course of action was evaluated as to its possible economic, technical, social, and overall environmental consequences to determine the tradeoffs necessary to accommodate all national policies and interests. Some alternatives may tend to protect more of the present and tangible environmental amenities than the proposed project will preserve. However, no alternative or combination of alternatives will afford greater protection of the environmental values while accomplishing the other project goals and objectives.

h. I conclude, therefore, that the proposed project will be the most effective means of meeting national goals and serving the public interest.

4. *Recommendations:* Having concluded that the proposed Turkey-Clay Creek Watershed project uses all practicable means, consistent with other essential considerations of the national policy, to meet the goals established in the National Environmental Policy Act, that the project will thus serve the overall public interest, that the final environmental impact statement has been prepared, reviewed, and accepted in accordance with the provisions of the National Environmental Policy Act as implemented by the Departmental regulations for the preparation of environmental impact statements, and that the project meets the needs of the project sponsors, I propose to implement the Turkey-Clay Creek Watershed project.

Dated: April 12, 1983.

R. D. Swenson,  
State Conservationist, Soil Conservation  
Service, U.S. Department of Agriculture.

[FR Doc. 83-10568 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-16-M

### **Muddy Creek (Northeast Unit) Watershed, Montana; Finding of No Significant Impact**

**AGENCY:** Soil Conservation Service,  
USDA.

**ACTION:** Notice of a finding of no  
significant impact.

**SUMMARY:** Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Muddy Creek (Northeast Unit) Watershed, Teton County, Montana.

**FOR FURTHER INFORMATION CONTACT:**  
Glen H. Loomis, Acting State  
Conservationist, Soil Conservation  
Service, P.O. Box 970, Bozeman, MT  
59715, telephone 406-587-5271, Ext. 4322.

**SUPPLEMENTARY INFORMATION:** The environmental evaluation of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Glen H. Loomis, Acting State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns a plan for onfarm agricultural water management-irrigation using watershed protection land treatment measures. Planned works of improvement include 4,130 acres of irrigation water management assistance, 690 acres of irrigation land leveling, 12,000 feet of water conveyance systems, 660 acres of automated surface systems, and 2,510 acres of sprinkler irrigation systems.

The Notice of a Finding of No Significant Impact has been forwarded to the Environmental Protection Agency and sent to various federal, state, and local agencies and interested parties. A limited number of copies of the Finding of No Significant Impact and Environmental Assessment are available to fill single copy requests at the above address. Basic data developed during the environmental evaluation are

of file and may be reviewed by contacting Wallace A. Jolly.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program; Office of Management and Budget Circular A-95 regarding state and local clearinghouse review of federal and federally assisted programs and projects is applicable)

Dated: April 13, 1983.

Glen H. Loomis,  
*Acting State Conservationist.*

[FR Doc. 83-10696 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-16-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Cancellation of the Review of Government Versus Contract Operation of Radiosonde Reconditioning

**AGENCY:** National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given pursuant to Office of Management and Budget (OMB) Circular A-76 and the Department of Commerce Administrative Order 201-41 implementing OMB Circular A-76, the National Oceanic and Atmospheric Administration (NOAA) is cancelling the review of Government versus contract operation of radiosonde reconditioning at Kansas City, Missouri. Reference Notice of Intent published August 7, 1980 in **Federal Register** Volume 45, Number 154, page 52438. This activity will be included in a larger review of Government versus contract operation of National Reconditioning Center. Reference Notice of Intent to Conduct Reviews published March 15, 1983 in **Federal Register** Volume 48, Number 51, Page 10901.

**FOR FURTHER INFORMATION CONTACT:** Ivan D. Jones, Chief, National Reconditioning Center, National Weather Service, NOAA, 605 Hardesty Street, Kansas City, Missouri 64124. Telephone—FTS 758-6281.

Dated: April 14, 1983.

Francis J. Balint,  
*Chief, Information and Management Services Division.*

[FR Doc. 83-10757 Filed 4-21-83; 8:45 am]

BILLING CODE 3510-12-M

## CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 83-1]

### Sun and Sand Imports, Ltd., a Corporation, and Guido Muller, Individually; Prehearing Conference

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of Prehearing Conference.

**DATE:** This notice announces a prehearing conference to be held in the matter of Sun and Sand Imports, Ltd. on May 9, 1983 at 10:00 a.m.

**ADDRESS:** The prehearing conference will be in Room 4A-35, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland. For additional information contact: Sheldon D. Butts, Deputy Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (301) 492-6800.

#### Notice of Prehearing Conference

Please take notice that a prehearing conference in this proceeding will be held at 10:00 a.m., on May 9, 1983 in room 4A-35, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland for the purposes outlined in 16 CFR 1025.21(a) the issues to be considered in the proceeding are:

(1) Whether respondents are engaged in the importation and sale of Children's Sleepwear: Sizes 0 through 6X and have their office and principal place of business located at 1441 Broadway, Room 1415, New York, New York 10018;

(2) Whether respondents were engaged in the importation into the United States and in the introduction, into commerce, and in the sale or shipment in commerce of wearing apparel as the terms "commerce" and "wearing apparel" are defined in the Flammable Fabrics Act, Sections 2 (b) and (d) 15 U.S.C. 1191 (b) and (d).

(3) Whether respondents have been engaged in the importation into the United States, and caused to be transported in commerce, Children's Sleepwear: Sizes 0 through 6X that are subject to and fail to conform to the Standard for Flammability in violation of Section 3 of the Flammable Fabrics Act, 15 U.S.C. 1192.

(4) Whether the acts and practices complained of, if proven, constitute unfair methods of competition and unfair and deceptive practices in commerce under the Federal Trade Commission Act prohibited under Section 3 of the Flammable Fabrics Act, 15 U.S.C. 1192.

Dated: April 19, 1983.

Sadye E. Dunn,  
*Secretary, Consumer Product Safety Commission.*

[FR Doc. 83-10762 Filed 4-21-83; 8:45 am]

BILLING CODE 6355-01-M

## DEPARTMENT OF DEFENSE

### Office of the Secretary of the Air Force

#### Acceptance of Group Application; Henry Keswick Crew Who Served in Defense of Corregidor Island

Under the provisions of Section 401 of Pub. L. 95-202 and DODD 1000.20, the DOD Civilian/Military Service Review Board has accepted an application on behalf of the Henry Keswick Crew Who Served in Defense of Corregidor Island. Persons with information or documentation pertinent to the determination of whether the service of this group was equivalent to active military service are encouraged to submit such information or documentation within 60 days to the DOD Civilian/Military Service Review Board, Secretary of the Air Force (SAF/MIPC), Washington, D.C. 20330. For further information contact Major Phelps, telephone No. 694-5074.

Winnibel F. Holmes,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 83-10708 Filed 4-21-83; 8:45 am]

BILLING CODE 3910-01-M

## Department of the Air Force

### Recision of Notice of Intent To Prepare an Environmental Impact Statement

The United States Air Force announced in the **Federal Register** on July 21, 1982, the intent to prepare an environmental impact statement for siting a Phased Array Warning System radar (PAVE PAWS) in the vicinity of Goodfellow AFB/San Angelo, Texas. Subsequent to the announcement, a scoping meeting was held to define the environmental issues to be analyzed for: Christoval area ranch property located about 17 miles south of San Angelo and within four miles east northeast of Christoval; Mount Susan, about 17 miles south of Goodfellow AFB and within two miles southeast of Christoval; Schleicher County ranch property, located about 35 miles south of Goodfellow AFB; and ranch property in Tom Green County and Schleicher County, about 33 miles south of Goodfellow AFB.

After refining the operational analysis in December, 1982, the Air Force narrowed the proposed sites to the Schleicher County ranch property and Mount Susan. The Air Force also determined that the Schleicher County site would be the proposed action, with Mount Susan designated as the alternative. After a review of the environmental analysis, it was determined that the proposed action, Schleicher County, would not significantly impact the quality of the human environment. Therefore, the environmental analysis has been issued as an environmental assessment with an accompanying finding of no significant impact (FONSI).

Both the environmental assessment and FONSI will be available to interested parties for review for 30 days from the date of this notice before the decision on the location of the radar is implemented.

Additional information may be obtained from HQ ESD/PA Hanscom AFB, MA 01731, (617) 861-4466.

Winnibel F. Holmes,  
Air Force Federal Register, Liaison Officer.  
[FR Doc. 83-10744 Filed 4-21-83; 8:45 am]  
BILLING CODE 3910-01-M

## Office of the Secretary

### Defense Science Board; Advisory Committee Meeting

The Defense Science Board will meet in closed session on 25-26 May 1983 in the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on scientific and technical matters as they affect the perceived needs of the Department of Defense.

At the meeting on 25-26 May 1983 the Board will discuss interim findings and tentative recommendations resulting from ongoing Task Force activities associated with Strategic, Tactical, Intelligence/Command, Control and Communications, and Technology Issues. The Board will also discuss plans for future consideration of scientific and technical aspects of specific strategies, tactics and policies as they may affect the U.S. national defense posture.

In accordance with Section 10(d) of the Federal Advisory Committee Act, Pub. L. No. 92-463, as amended (5 U.S.C. App. I, (1976)), it has been determined that this DSB Task Force meeting concerns matters listed in 5 U.S.C. 552b(c) (1) (1976), and that accordingly

these meetings will be closed to the public.

M. S. Healy,  
OSD Federal Register Liaison Officer,  
Washington Headquarters Service,  
Department of Defense.

April 19, 1983.

[FR Doc. 83-10761 Filed 4-21-83; 8:45 am]

BILLING CODE 3810-01-M

## DEPARTMENT OF EDUCATION

### National Center for Research in Vocational Education Advisory Council; Meeting

**AGENCY:** National Center for Research in Vocational Education Advisory Council.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the National Center for Research in Vocational Education Advisory Council. This notice also describes the functions of the Council. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

**DATE:** May 9, 1983.

**ADDRESS:** The National Center for Research in Vocational Education, Ohio State University, 1960 Kenny Road, Columbus, Ohio 43210.

**FOR FURTHER INFORMATION CONTACT:** Dr. Howard F. Hjelm, Director, Division of Innovation and Development, 400 Maryland Avenue, SW, Rm. 5044, ROB 3, Washington, D.C. 20202, (202) 245-2278.

**SUPPLEMENTARY INFORMATION:** The National Center for Research in Vocational Education Advisory Council is established under Section 171 of the Vocational Education Act of 1963 as amended by the Education Amendments of 1976 (Pub. L. 94-482) (20 U.S.C. 2401). The primary purpose of the Council is to advise the National Center Director on the operation of the National Center and the Secretary on regional centers. In addition to advising the Director, the Council, at the request of the Secretary, may be consulted on current issues in vocational education as they affect the National Center. Meetings held at the request of the Secretary are conducted in accordance with the Federal Advisory Committee Act (FACA).

That portion of the meeting of the Council under FACA is open to the public on May 9, 1983 from 1:00 p.m. to 4:30 p.m. The proposed agenda includes: 1:00-1:45—Report on Federal Activities; 1:45-4:30—Council Discussion and

Recommendations on Technassociates Inc. Evaluation Report.

This meeting will be held in conjunction with a regular meeting of the Council to advise the Center Director.

Records are kept of all Council proceedings and are available for public inspection at the office of Glenn Boerrigter, Program Improvement Systems Branch, 400 Maryland Avenue, SW., Rm 5018, ROB 3, Washington, D.C. 20202; telephone: (202) 245-2617.

Dated: April 19, 1983.

John K. Wu,  
Acting Assistant Secretary for Vocational and Adult Education.

[FR Doc. 83-10737 Filed 4-21-83; 8:45 am]

BILLING CODE 4000-01-M

### National Advisory Council on Indian Education; Meeting

**AGENCY:** National Advisory Council on Indian Education.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets forth the scheduled and proposed agenda of a forthcoming meeting of the full Council. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend the meeting.

**DATES:** Full Council Meeting: May 9, 1983, 9:00 a.m. to 5:00 p.m.; May 10, 1983, 9:00 a.m. to 5:00 p.m.; and, May 11, 1983, 9:00 a.m. to 5:00 p.m.

Executive Committee Meeting: May 9, 1983, 6:30 p.m. until completion of business.

Standing Committee Meetings: May 10, 1983, 6:30 p.m. until completion of business.

**ADDRESS:** National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Pennsylvania Building, Washington, D.C. 20004 (202/376-8882).

**FOR FURTHER INFORMATION CONTACT:** Dr. Michael P. Doss, Executive Director, National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Pennsylvania Building, Washington, D.C. 20004 (202/376-8882).

**SUPPLEMENTARY INFORMATION:** The National Advisory Council on Indian Education is established under Section 442 of the Indian Education Act, Title IV of Pub. L. 92-318 (20 U.S.C. 1221g). The Council is established to submit to the Secretary of Education a list of nominees for the position of Director of Indian Education Programs; advise the Secretary of Education with respect to the administration of any program in which Indian children or adults



participate from which they can benefit; review applications for assistance under Title III of the Act of September 30, 1950, and make recommendations to the Secretary with respect to their approval; evaluate programs and projects carried out under any program of the Department of Education in which Indian children or adults can participate or from which they can benefit and disseminate the results of such evaluations; provide technical assistance to local educational agencies and to Indian educational agencies, institutions and organizations; assist the Secretary of Education in developing criteria and regulations for the administration and evaluation of grants made under Section 303(b) of the Act of September 30, 1950; submit to Congress not later than June 30 of each year a report of its activities; and, be consulted by the Secretary of Education regarding the definition of the term Indian.

The meeting will be open to the public. This meeting will be held at the National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Pennsylvania Building, Washington, D.C. 20004 (202/376-8882).

The proposed agenda includes:

- (1) Official Swearing-in Ceremony.
- (2) Formal Orientation by U.S.

Department of Education.

(3) Election of Officers and Appointment of NACIE Members to Standing Committees.

(4) Executive Director's Report.

(5) Review of NACIE's FY 1983 Budget.

(6) A Review of the Joint NACIE/ED Search Process for a New Director of the Indian Education Programs, U.S. Department of Education.

(7) Regular Council Business.

(8) Committee Discussions and Reports.

(9) Public Testimony.

The Executive Committee Meeting and Standing Committee Meetings will be open to the public. These committee meetings will be held at the National Advisory Council on Indian Education, 425 13th Street, NW., Suite 326, Pennsylvania Building, Washington, D.C. 20004 (202/376-8882).

The proposed agenda for the Executive Committee includes:

- (1) NACIE Budget.
- (2) NACIE Planning Meeting.

The proposed agenda for the Standing Committees includes:

- (1) Consideration of Agenda Items.

Records shall be kept of all Council proceedings and shall be available for public inspection at the office of the National Advisory Council on Indian Education located at 425 13th Street,

NW., Suite 326, Pennsylvania Building, Washington, D.C. 20004.

Dated: April 19, 1983. Signed at Washington, D.C.

Dr. Michael P. Doss,

*Executive Director, National Advisory Council on Indian Education.*

[FR Doc. 83-10799 Filed 4-21-83; 8:45 am]

BILLING CODE 4000-01-M

## DEPARTMENT OF ENERGY

### Economic Regulatory Administration

#### Langham Petroleum & Development, Inc.; Proposed Consent Order

**AGENCY:** Economic Regulatory Administration, DOE.

**ACTION:** Notice of proposed consent order and opportunity for comment.

**SUMMARY:** The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order with Langham Petroleum & Development, Inc. and provides an opportunity for public comment on the terms and conditions of the proposed Consent Order.

**DATE:** Comments by May 23, 1983.

**ADDRESS:** Send comments to: Sandra K. Webb, Director, Houston Office, Economic Regulatory Administration, One Allen Center, Suite 610, 500 Dallas Street, Houston, Texas 77002.

**FOR FURTHER INFORMATION CONTACT:** Sandra K. Webb, Director, Houston Office, Economic Regulatory Administration, One Allen Center, Suite 610, 500 Dallas Street, Houston, Texas 77002, phone (713) 229-3715. Copies of the Consent Order may be obtained free of charge by writing or calling this office.

**SUPPLEMENTARY INFORMATION:** On April 18, 1983, the ERA executed a proposed Consent Order with Langham Petroleum & Development, Inc. (Langham) of Houston Texas. Under 10 CFR 205.199(j)(b), a proposed Consent Order which involves the sum of \$500,000 or more, excluding interest and penalties, becomes effective no sooner than thirty days after publication of a notice in the **Federal Register** requesting comments concerning the proposed Consent Order. Although the ERA has signed and tentatively accepted the proposed Consent Order, the ERA may, after consideration of the comments it receives, withdraw its acceptance and, if appropriate, attempt to negotiate a modification of the Consent Order or issue the Consent Order as signed.

## I. The Consent Order

Langham, with its home office located in Houston, Texas, is a firm engaged in the marketing and reselling of covered products and was subject to the Mandatory Petroleum Price and Allocation Regulations. To resolve certain potential civil liability arising out of the Mandatory Petroleum Allocation and Price Regulations and related regulations, 10 CFR Parts 205, 210, 211, and 212, during the period December 1, 1977 through January 27, 1981 ("the period covered by this Consent Order"), the ERA and Langham entered into a Consent Order the significant terms of which are as follows:

ERA has alleged that in connection with its reselling activities Langham priced crude oil in violation of 10 CFR Part 212, Subparts F and L. ERA has made no allegation concerning Langham's production and first sales of domestic crude oil and those transactions are specifically excluded from the terms of the Consent Order.

With respect to Langham's reselling activities, the ERA and Langham disagree concerning Langham's compliance with the Federal petroleum price and allocation regulations. Notwithstanding the ERA's view as to the proper application of the regulations to Langham's activities, Langham maintains that it has correctly construed and applied the regulations. The Consent Order does not constitute an admission of Langham nor a finding by the ERA of any violation of the Federal petroleum price and allocation regulations. Although the ERA and Langham each believes that their respective positions are meritorious, both parties desire to resolve these matters without resort to complex, lengthy and expensive compliance actions. In addition to its review of Langham's reselling activities, the ERA has also reviewed Langham's expenditures prior to and after the decontrol of crude oil and petroleum products, as well as current financial data of the firm. Based upon that review, the ERA believes that it is in the best interest of the public and the government to resolve these matters now by means of this Consent Order.

## II. Refunds

Under this Consent Order, Langham will pay the sum of \$32,000,000 in installments as follows: \$5,000,000 within 180 days of the effective date of the Consent Order and the balance in 15 annual installments of \$1,800,000 each. Langham further agrees that to the



extent that its actual net revenues exceed the net revenues reported in its Form ERA-69 filings by more than 3 percent, Langham will pay \$1,000,000 for each full percentage point above 3 percent. Upon full satisfaction of the terms and conditions of this Consent Order by Langham, the DOE will release Langham from any civil claims that the DOE may have arising out of the specified transactions during the period covered by this Consent Order.

### III. Submission of Written Comments

Interested persons are invited to submit written comments concerning the terms and conditions of this Consent Order to the address given above. Comments should be identified on the outside of the envelope and on the documents submitted with the designation, "Comments on Langham Consent Order." The ERA will consider all comments it receives by 4:30 p.m., local time, May 23, 1983. Any information or data considered confidential by the person submitting it must be identified as such in accordance with the procedures in 10 CFR 205.9(f).

Issued in Houston, Texas on the 19th day of April 1982.

Sandra K. Webb,

Director, Houston Office, Economic Regulatory Administration.

[FR Doc. 83-10898 Filed 4-21-83; 8:45 am]

BILLING CODE 6450-01-M

### Robert Stephen Langham; Proposed Consent Order

**AGENCY:** Economic Regulatory Administration, DOE.

**ACTION:** Notice of proposed consent order and opportunity for comment.

**SUMMARY:** The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order with Robert Stephen Langham and provides an opportunity for public comment on the terms and conditions of the proposed Consent Order.

**DATE:** Comments by May 23, 1983.

**ADDRESS:** Send comments to: Sandra K. Webb, Director, Houston Office, Economic Regulatory Administration, One Allen Center, Suite 610, 500 Dallas Street, Houston, Texas 77002.

**FOR FURTHER INFORMATION CONTACT:** Sandra K. Webb, Director, Houston Office, Economic Regulatory Administration, One Allen Center, Suite 610, 500 Dallas Street, Houston, Texas 77002, phone (713) 229-3715. Copies of the Consent Order may be obtained free of charge by writing or calling this office.

**SUPPLEMENTARY INFORMATION:** On April 18, 1983, the ERA executed a proposed Consent Order with Robert Stephen Langham (R. S. Langham) of Houston, Texas. Under 10 CFR 205.199(b), a proposed Consent Order which involves the sum of \$500,000 or more, excluding interest and penalties, becomes effective no sooner than thirty days after publication of a notice in the *Federal Register* requesting comments concerning the proposed Consent Order. Although the ERA has signed and tentatively accepted the proposed Consent Order, the ERA may, after consideration of the comments it receives, withdraw its acceptance and, if appropriate, attempt to negotiate a modification of the Consent Order or issue the Consent Order as signed.

### I. The Consent Order

R. S. Langham resides in Houston, Texas and is engaged in the marketing and reselling of covered products. During the period December 1, 1977 through January 27, 1981 ("the period covered by this Consent Order"), R. S. Langham was an officer, director and employee of Langham Petroleum & Development, Inc. and was subject to the Mandatory Petroleum Price and Allocation Regulations. To resolve certain potential civil liability arising out of the Mandatory Petroleum Allocation and Price Regulations and related regulations, 10 CFR Parts 205, 210, 211 and 212, the ERA and R. S. Langham entered into a Consent Order the significant terms of which are as follows:

ERA has alleged that during the period covered by this Consent Order, in connection with his reselling activities, R. S. Langham priced crude oil in violation of 10 CFR Part 212, Subparts F and L. ERA has made no allegation concerning R. S. Langham's production and first sales of domestic crude oil and those transactions are specifically excluded from the terms of the Consent Order.

With respect to R. S. Langham's reselling activities, the ERA and R. S. Langham disagree concerning R. S. Langham's compliance with the Federal petroleum price and allocation regulations. Notwithstanding the ERA's view as to the proper application of the regulations to R. S. Langham's activities, R. S. Langham maintains that he has correctly construed and applied the regulations. The Consent Order does not constitute an admission of R. S. Langham nor a finding by the ERA of any violation of the Federal petroleum price and allocation regulations. Although the ERA and R. S. Langham each believes that their respective

positions are meritorious, both parties desire to resolve these matters without resort to complex, lengthy and expensive compliance actions. In addition to its review of R. S. Langham's reselling activities, the ERA has also reviewed R. S. Langham's expenditures prior to and after the decontrol of crude oil and petroleum products, as well as his current financial data. Based upon that review, the ERA believes that it is in the best interest of the public and the government to conclude these matters now by means of this Consent Order.

### II. Refund

Under this Consent Order, R. S. Langham will pay an amount up to \$10,000,000 based upon the after-tax income of R. S. Langham and certain related entities. The amount to be paid will be one-third of the amount by which such income exceeds \$13.5 M over the five year period following the effective date of the Consent Order. Upon full satisfaction of the terms and conditions of this Consent Order by R. S. Langham, the DOE will release R. S. Langham from any civil claims that the DOE may have arising out of the specified transactions during the period covered by this Consent Order.

### III. Submission of Written Comments

Interested persons are invited to submit written comments concerning the terms and conditions of this Consent Order to the address given above. Comments should be identified on the outside of the envelope and on the documents submitted with the designation, "Comments on R. S. Langham Consent Order." The ERA will consider all comments it receives by 4:30 p.m., local time, May 23, 1983. Any information or data considered confidential by the person submitting it must be identified as such in accordance with the procedures in 10 CFR 205.9(f).

Issued in Houston, Texas, on the 19th day of April, 1982.

Sandra K. Webb,

Director, Houston Office, Economic Regulatory Administration.

[FR Doc. 83-10897 Filed 4-21-83; 8:45 am]

BILLING CODE 6450-01-M

### DEPARTMENT OF AGENCY

#### Cabot Fuel Corporation and Tuco, Inc.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration hereby gives notice of a Proposed Remedial Order which was issued to Cabot Fuel Corporation and its

subsidiary TUCO, Inc. of Amarillo, Texas.

The Proposed Remedial Order charged TUCO, Inc. with pricing violations in the amount of \$3,991,784.12, plus accrued interest, in sales of natural gas liquids and natural gas liquid products during the period of October 1, 1974 through October 31, 1978.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from David H. Jackson, Director, Kansas City Office, Economic Regulatory Administration, 324 East 11th Street, Kansas City, Missouri 64106-2466. Within 15 days of publication of this notice, any aggrieved person may file a Notice of Objections with the Office of Hearings and Appeals, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Kansas City, Missouri on the 8th day of April, 1983.

David H. Jackson,

Director, Kansas City Office, Economic Regulatory Administration.

[FR Doc. 83-10717 Filed 4-21-83; 8:45 am]

BILLING CODE 6450-01-M

### Northeast Petroleum Industries, Inc.; Proposed Consent Order

**AGENCY:** Economic Regulatory Administration, DOE.

**ACTION:** Notice of Proposed Consent Order and Opportunity for Comment.

**SUMMARY:** The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order with Northeast Petroleum Industries, Inc. and provides an opportunity for public comment on the proposed Consent Order.

**DATE:** Comments by May 23, 1983.

**ADDRESS:** Send comments to: Robert J. McKee, Jr., Director, Philadelphia Field Office, ERA, 1421 Cherry Street, Philadelphia, Pennsylvania 19102.

#### FOR FURTHER INFORMATION CONTACT:

Robert J. McKee, Jr., Director, Philadelphia Field Office, ERA, 1421 Cherry Street, Philadelphia, Pennsylvania 19102, (215) 597-4550.

Copies of the Consent Order may be obtained free of charge by writing or calling this office.

**SUPPLEMENTARY INFORMATION:** On April 5, 1983, the ERA executed a proposed Consent Order with Northeast Petroleum Industries, Inc. ("Northeast") of Chelsea, Massachusetts. Under 10 CFR 205.199(b), a proposed Consent Order which involves the sum of \$500,000 or more, excluding interest and

penalties, becomes effective no sooner than thirty days after publication of a notice in the *Federal Register* requesting comments concerning the proposed Consent Order. Although the ERA has signed and tentatively accepted the proposed Consent Order, the ERA may, after consideration of the comments it receives, withdraw its acceptance and, if appropriate, attempt to negotiate a modification of the Consent Order or issue the Consent Order as signed.

Northeast, with its home office located in Chelsea, Massachusetts, is a firm engaged in the sale of covered petroleum products, and was subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211 and 212 during the period January 1, 1973 through January 28, 1981 ("the period covered by this Consent Order"). An audit conducted by the ERA included a review of Northeast's records relating to compliance with the Federal petroleum price and allocation regulations during the period January 1, 1973 through January 28, 1981 (the audit period). In its audit the ERA reviewed Northeast's pricing and allocation policies and procedures and the manner in which Northeast applied the Federal petroleum price and allocation regulations. Northeast has cooperated with this audit. Northeast has made its books and records available to the auditors of the DOE and the auditors have examined and reviewed a substantial volume of such materials. DOE believes that Northeast has maintained procedures reasonably adapted to achieve compliance with the Federal petroleum price and allocation regulations.

The ERA and Northeast disagree in several respects concerning Northeast's compliance with the Federal petroleum price and allocation regulations during the audit period. Notwithstanding the ERA's view as to the proper application of the regulations to Northeast's activities, Northeast maintains that it has correctly construed and applied the regulations. The ERA and Northeast each believes that its respective positions on the legal issues underlying their disagreements are meritorious. However, both parties desire to resolve the issues raised by the audit without resort to complex, lengthy an expensive compliance actions and therefore have entered into this Consent Order. The ERA believes that the Consent Order is in public interest because it provides a satisfactory resolution of disputed issues and an appropriate conclusion of the Northeast audit.

The Consent Order addresses all aspects of Northeast's compliance with

the Federal petroleum price and allocation regulations during the audit period and, except for those issues explicitly excluded, resolves all issues concerning Northeast's compliance with the Federal petroleum price and allocation regulations during the audit period. In settlement of all disputes with the ERA concerning sales of covered petroleum products during the audit period, Northeast has agreed to refund an aggregate amount of \$2,000,000. Of this \$2,000,000, \$800,000 is to be paid to eligible end-user No. 6 residual fuel oil customers, and \$1,200,000 is to be paid to the U.S. Treasury for deposit as miscellaneous receipts. The Consent Order also provides details concerning records retention and procedures concerning enforcement of the provisions of the Consent Order.

The Consent Order does not constitute an admission by Northeast nor a finding by the ERA of any violation of the Federal petroleum price and allocation regulations. This notice merely summarizes the Consent Order, and neither limits nor modifies it in any way whatsoever. The provisions of 10 CFR 205.199, including those regarding the publication of this Notice, are applicable to the Consent Order.

Upon full satisfaction of the terms and conditions of this Consent Order by Northeast, the DOE releases Northeast from any civil claims that the DOE may have arising out of the Federal petroleum price and allocation regulations.

#### Submission of written comments:

Interested persons are invited to submit written comments concerning the terms and conditions of this Consent Order to the address given above. Comments should be identified on the outside of the envelope and on the documents submitted with the designation "Comments on Northeast Petroleum Industries, Inc. Consent Order." The ERA will consider all comments it receives by 4:30 pm, local time, on May 23, 1983. Any information or data considered confidential by the person submitting it must be identified as such in accordance with the procedures at 10 CFR 205.9(f).

Issued in Philadelphia on the 6th day of April, 1983.

Robert J. McKee, Jr.,

Director, Philadelphia Field Office, ERA.

[FR Doc. 83-10716 Filed 4-21-83; 8:45 am]

BILLING CODE 6450-01-M

**Federal Energy Regulatory  
Commission**

[Docket No. QF83-226-000]

**Birch Creek Hydro, Inc.; Application  
for Commission Certification of  
Qualifying Status of a Small Power  
Production Facility**

April 18, 1983.

On March 24, 1983, Birch Creek Hydro, Inc., (Applicant) 2210 Wilshire Blvd., No. 789, Santa Monica, California 90403, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The hydroelectric small power production facility will be located near Big Pine, California. The facility will consist of a solar powered pumping system and two hydro powerhouses. The net electric power production capacity of the facility will be 4,928 kilowatts. Applicant owns no other hydroelectric small power production facilities located within one mile of the facility. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10766 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. CP83-238-000]

**Columbia Gas Transmission Corp.;  
Request Under Blanket Authorization**

April 18, 1983.

Take notice that on March 17, 1983, Columbia Gas Transmission Corporation (Columbia), 1700

MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP83-238-000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) to add new points of delivery to existing wholesale customers under the authorization issued in Docket No. CP83-76-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Columbia proposes to construct and operate tap facilities necessary to provide 3 additional points of delivery to Columbia Gas of Kentucky, 5 additional points of delivery to Columbia Gas of Ohio and 7 additional points of delivery to Columbia Gas of West Virginia. Columbia states that the volumes of natural gas to be provided through the new points of delivery are within its currently authorized level of sales. Such volumes would not affect Columbia's peak day and annual deliveries to which its existing wholesale customer is entitled, it is asserted. Columbia also indicates that its wholesale customers are all served under its Rate Schedule CDS.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10767 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. CP83-259-000]

**Columbia Gulf Transmission Co.;  
Application**

April 18, 1983.

Take notice that on March 30, 1983, Columbia Gulf Transmission Company (Applicant), P.O. Box 683, Houston, Texas 77001, filed in Docket No. CP83-259-000 an application pursuant to Section 7(b) of the Natural Gas Act for

permission and approval to abandon certain facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the well connected to 2.0 miles of 4-inch pipeline extending from a producer platform in South Marsh Island Block 268, offshore Louisiana, has been abandoned, and these facilities, constructed to transport gas from this well, are no longer needed as used. Applicant, therefore, proposes the abandonment in place of the 2.0 miles of 4-inch pipeline.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10768 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. QF83-223-000]

**El Dorado County Water Agency, et al., Park Creek; Application For Commission Certification of Qualifying Status of a Small Power Production Facility**

April 18, 1983.

On March 16, 1983, the El Dorado County Water Agency, et al., (Applicant), P.O. Box 1608, 2890 Mosquito Road, Placerville, California 95667, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The hydroelectric facility will be located on Sly Park Creek in El Dorado County, California. The electric power production capacity of the facility will be 6.9 megawatts. The Applicant does not own any other hydroelectric small power production facilities located within one mile of the facility. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedures. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-10769 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF83-219-000]

**El Dorado County Water Agency, et al., Plum Creek; Application for Commission Certification of Qualifying Status of a Small Power Production Facility**

April 18, 1983.

On March 16, 1983, the El Dorado County Water Agency, et al. (Applicant), P.O. Box 1608, 2890

Mosquito Road, Placerville, California 95667, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The hydroelectric facility will be located on Plum Creek, in El Dorado County, California. The electric power production capacity of the facility will be 42.7 megawatts. The Applicant does not own any other hydroelectric small power production facilities located within one mile of the facility. No electric utility, electric utility holding company or any combination thereof has an ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-10770 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF83-224-000]

**El Dorado County Water Agency, et al., El Dorado 2; Application for Commission Certification of Qualifying Status of a Small Power Production Facility**

April 18, 1983.

On March 16, 1983, the El Dorado County Water Agency, et al. (Applicant), P.O. Box 1608, 2890 Mosquito Road, Placerville, California 95667, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The hydroelectric facility will be located near the existing PG&E El Dorado Powerhouse, in El Dorado County, California. The electric power production capacity of the facility will

be 60.8 megawatts. The Applicant does not own any other hydroelectric small power production facilities located within one mile of the facility. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-10771 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP83-13-003]

**El Paso Natural Gas Co.; Compliance Filing**

April 18, 1983.

Take notice that on April 4, 1983, El Paso Natural Gas Co. (El Paso), pursuant to Part 154 of the Federal Energy Regulatory Commission's (Commission) regulations under the Natural Gas Act, submitted for filing the following revised tariff sheets to its FERC Gas Tariff, Original Volume No. 1, to be effective April 15, 1983:

Fourth Revised Sheet No. 89  
Fourth Revised Sheet No. 90  
Third Revised Sheet No. 91  
Second Revised Sheet No. 91-A  
First Revised Sheet No. 91-B  
Second Revised Sheet No. 91-C  
Second Revised Sheet No. 91-D  
Second Revised Sheet No. 91-E  
First Revised Sheet No. 91-F  
Second Revised sheet No. 91-G  
First Revised Sheet No. 91-H  
First Revised Sheet No. 91-I

On October 27, 1982, El Paso tendered to the Commission, pursuant to Part 154 of the Commission's regulations, revised tariff sheets<sup>1</sup> to its FERC Gas Tariff,

<sup>1</sup> Substitute Twenty-fourth Revised Sheet No. 1, Fourth Revised Sheet Nos. 72 and 73, Third Revised

Original Volume No. 1, which, when accepted and made effective by the Commission, would have replaced the two forms of service agreement (Form A and Form B) presently included in El Paso's Original Volume No. 1 Tariff with a single, new form of service agreement, and updated the Table of Contents thereto to reflect replacement of Forms A and B with the new Form. By order issued November 26, 1982, at Docket No. RP83-13-000, the Commission accepted El Paso's filing, consolidated it with El Paso's pending rate proceedings at Docket Nos. RP82-33-000 and RP83-6-000 for purposes of hearing and decision, and suspended it until April 15, 1983, when the new Form will be permitted to become effective subject to alteration or deletion of terms not found to be just and reasonable. Thereafter, by order issued February 18, 1983, at Docket Nos. RP83-13-001 and RP83-13-002, the Commission rescinded that portion of its November 26, 1982 order which allowed El Paso to delete Forms A and B from its Original Volume No. 1 Tariff, and conditioned acceptance of the new Form upon El Paso's retention of Forms A and B until all executed service agreements patterned after those forms have expired.

To comply with the condition set forth in the Commission's February 18, 1983 order, El Paso submitted revised tariff sheets in substitution for those filed on October 27, 1982 in the captioned proceeding. The revised tariff sheets tendered reflect new pagination which will serve to include the new Form in EL Paso's Original Volume No. 1 Tariff while retaining Forms A and B now contained therein.

El Paso requests that the Commission grant any and all waivers which may be necessary to permit the tendered revised tariff sheets to be substituted for those filed on October 27, 1982, in the captioned proceeding and that such tendered tariff sheets be permitted to become effective April 15, 1983 subject to alteration or deletion as provided for in the Commission's order issued November 26, 1982, as amended.

EL Paso states that a copy of the filing was served upon all parties of record in Docket Nos. RP82-33-000, RP83-6-000 and RP83-13-000, and upon all interested pipeline system customers of El Paso and interested state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal

Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such petitions or protests should be filed on or before April 27, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10772 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

**[Docket Nos. CP83-228-000 and CP83-228-001]**

**Esperanza Transmission Co.; Application**

April 18, 1983.

Take notice that on March 7, 1983, Esperanza Transmission Company (Esperanza), P.O. Box 2447, Corpus Christi, Texas 78403, filed in Docket No. CP83-228-000 an application, as supplemented March 30, 1983, in Docket No. CP83-228-001, pursuant to Section 311(a)(2) of the Natural Gas Policy Act of 1978 for authorization to transport up to 50,000 Mcf of natural gas per day for United Gas Pipe Line Company (United) within the State of Texas, for an extended term of two years beginning June 5, 1983, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Esperanza states that natural gas would be transported from various points in the producing field area to points of interconnection with United in Cherokee, Dewitt, Goliad, Jim Wells and Matagorda Counties, Texas, with Houston Pipe Line Company for United's account in Nueces County, Texas, and with Transcontinental Gas Pipe Line Corporation for United's account in Wharton County, Texas. Esperanza further states that it would charge United a rate of 15.0 cents per Mcf for gas transported.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules

of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10773 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

**[Docket No. CP83-239-000]**

**Florida Gas Transmission Co.; Request Under Blanket Authorization**

April 18, 1983.

Take notice that on March 23, 1983, Florida Gas Transmission Company (FGT), P.O. Box 44, Winter Park, Florida 32790, filed in Docket No. CP83-239-000 a request pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) proposing to transport gas in interstate commerce for ultimate consumption in International Minerals and Chemical Corporation's (IMC) new Wales plant located in Polk County, Florida, under the authorization issued in Docket No. CP82-553-000 pursuant Section 7 of the Natural Gas Act, all as more fully set forth in its request which is on file with the Commission and open to public inspection.

FGT asserts that the new Wales plant is adjacent to IMC's Kingsford Plant. FGT states that in Docket No. CP66-159 on February 11, 1966 it received authorization to construct and operate approximately four miles of pipeline and to deliver natural gas to IMC, a direct sale customer of FGT. However, FGT states that said order specifically referred to the plant to be served, the Kingsford Plant and the end uses of the gas. Therefore, FGT now requests that it be permitted to deliver gas for use in IMC's New Wales plant.

FGT states that it would not construct any new facilities in order to serve the New Wales plant. Service to the Kingsford and New Wales plants would be made through the existing delivery point and deliveries would remain within IMC's existing FERC established volumetric entitlement, it is asserted.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR

385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Kenneth F. Plumb,  
*Secretary.*

[FR Doc. 83-10774 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA83-2-34-001]

**Florida Gas Transmission Co.,  
Compliance Filing**

April 18, 1983.

Take notice that on April 4, 1983, Florida Gas Transmission Company (FGT) submitted for filing the following substitute tariff sheets:

*Original Volume No. 1*

Substitute 30th Revised Sheet No. 3-A  
Substitute 7th Revised Sheet No. 3-B

*Original Volume No. 2*

Substitute 20th Revised Sheet No. 128

On February 28, 1983, FGT filed its PGA filing, to be effective April 1, 1983, pursuant to § 154.38 of the Commission's Regulations under the Natural Gas Act and Section 15 of FGT's FERC Gas Tariff (Purchase Gas Adjustment and Incremental Pricing Provisions). FGT's filing was composed of Thirtieth Revised Sheet No. 3-A and Seventh Revised Sheet No. 3-B to Original Volume No. 1, and Twentieth Revised Sheet No. 128 to Original Volume No. 2. By letter order dated March 31, 1983, the Commission conditionally accepted the tariff sheets subject to FGT refiling within fifteen days of the issuance of the Commission's order reduced rates to be effective April 1, 1983, which reflect the proper supplier rates of Southern Natural Gas Company (SNG). FGT has refiled the substitute tariff sheets to reflect SNG's rates to be effective April 1, 1983.

The effect of the adjustments required by the Commission's letter order is to reduce the average cost of gas purchased for the adjustment period from 293.5081¢/Mcf to 293.1245¢/Mcf, or a decrease of .3836¢/Mcf.

FGT states that the copies of the filing were mailed to all customers served

under the Rate Schedules affected by the filing and the interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rule 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such petitions or protests should be filed on or before April 28, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
*Secretary.*

[FR Doc. 83-10775 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP75-104-032]

**High Island Offshore System; Petition to Amend**

April 18, 1983.

Take notice that on March 22, 1983, High Island Offshore System (Petitioner), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP75-104-032 a petition to amend the order issued March 29, 1982, in Docket No. CP75-104, *et al.*, pursuant to Section 7(c) of the Natural Gas Act so as to authorize Petitioner to establish a limitation on the volume of condensate to be transported with the gas tendered to Petitioner for transportation by its shippers at each point of receipt, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner explains that its system was originally designed to accommodate a maximum of 10 barrels of condensate per 1,000 Mcf of gas transported. Despite this, Petitioner states, no limitation on condensate transportation is contained in the transportation agreements with Petitioner's shippers or in Petitioner's FERC Gas Tariff and no such limitation was requested or included in its authorization issued in Docket No. CP75-104, *et al.* In response to operating concerns which arise due to transportation of large volumes of condensate, Petitioner states, it has adopted a new operating policy which would limit condensate transportation in Petitioner's system without Petitioner's

prior consent to no more than 10 barrels of condensate per 1,000 Mcf of gas delivered at each point of receipt. To implement the policy change, Petitioner requests that the Commission amend ordering paragraph B of the Order Denying Rehearing and Approving Settlement Agreement issued March 29, 1982, to read as follows:

(B) The settlement agreement filed by HIOS on January 18, 1982, is approved and the service specified therein is authorized upon condition that gas tendered to HIOS, at any authorized Point of Receipt, shall not contain more than 10 barrels of condensate per 1,000 Mcf without the prior consent of HIOS or its Operator.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,  
*Secretary.*

[FR Doc. 83-10775 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-255-000]

**Houston Pipe Line Co.; Application**

April 18, 1983.

Take notice that on March 28, 1983, Houston Pipe Line Company (Applicant), P.O. Box 1188, Houston, Texas 77001, filed in Docket No. CP83-255-000 an application pursuant to Section 311(a)(2) of the Natural Gas Policy Act of 1978 and § 284.127 of the Commission's Regulations for authority to transport certain quantities of natural gas for Texas Eastern Transmission Corporation (Tetco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it is currently engaged in the transportation of natural gas on behalf of Tetco pursuant to a transportation agreement dated June 14, 1979. It is stated that service under this



agreement commenced June 29, 1979, for an initial term of two years under the self-implementing provisions of § 284.122(a) of the Commission's Regulations and was extended for a period of two years commencing June 29, 1981, pursuant to § 284.125 of the Commission's Regulations. In order that the transportation service might be continued on an uninterrupted basis, Applicant has requested the Commission issue an order authorizing a continuation of the transportation arrangement for a period of two years commencing June 29, 1983, and ending June 28, 1985.

Applicant proposes to transport up to 2,000 Mcf of gas per day for Tetco or such additional daily volumes which Applicant determines that its operating conditions shall reasonably permit. Applicant states that it would transport Tetco's volumes from a point or points located on Applicant's pipeline facilities in Harris, Matagorda, and Colorado Counties, Texas, to a point or points located on Tetco's pipeline facilities in Angelina, Colorado, and Chambers Counties, Texas, and other mutually agreeable point or points. It is stated that pursuant to the original transportation agreement dated June 14, 1979, no rate would be charged by Applicant for the service.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-10777 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. CP83-234-000]

**Lone Star Gathering Co.; Application**

April 18, 1983.

Take notice that on March 16, 1983, Lone Star Gathering Company (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No.

CP83-234-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an increase in the daily contract demand from 5,500 Mcf to 10,500 Mcf under an existing transportation agreement dated November 26, 1973 with Natural Gas Pipeline Company of America (Natural), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is asserted that Applicant is authorized to transport gas produced from the Carthage, JGS, and Penn-Griffith Fields in Panola and Rusk Counties, Texas, for Natural. Applicant proposes pursuant to an amendment dated February 17, 1982, to increase the daily contract demand transported from these fields from 5,500 Mcf to 10,500 Mcf. It is asserted that such increase would enhance Natural's ability to exchange gas with Lone Star Gas Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if not motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-10778 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. CP83-257-000]

**Michigan Consolidated Gas Co.,  
Application and Petition**

April 18, 1983.

Take notice that on March 29, 1983, Michigan Consolidated Gas Company (Mich Con), 500 Griswold Street, Detroit, Michigan 48226, filed in Docket No. CP83-257-000 a petition pursuant to § 385.207 of the Commission's Rules of Practice and Procedure (18 CFR 385.207) for an order declaring that Commission authorization is unnecessary to engage in certain transactions of natural gas or, in the alternative, an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Mich Con to engage in transactions incident to the direct sale of surplus natural gas supplies to Sohio Chemical Company (Sohio), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is indicated that pursuant to an agreement dated March 21, 1983, Mich Con has agreed to sell to Sohio up to 25,000,000 dt equivalent of natural gas per year at a maximum daily delivery rate not to exceed 90,000 dt equivalent, subject to interruption to the extent the gas supplies are required by Mich Con to provide adequate service to its distribution customers. It is stated that the term of the agreement is for an initial period of two years commencing from the date of first deliveries and is automatically extendable for successive two-year periods unless cancelled by either party by notification within 30 days of the end of the current two-year term. The proposed rate to be charged by Mich Con would be the sum of the gas-cost component of the commodity rate of Michigan Wisconsin Pipe Line Company's (Mich Wisc) Rate Schedule MC-1 under which Mich Con purchases gas from Mich Wisc plus five cents. Mich Con states that this rate represents its incremental cost of gas plus Mich Wisc's charge for transportation plus three cents and that this total rate is currently \$3.45 per million Btu.

Misc Wisc proposes in Docket No. CP83-253-000 to transport the above sales volumes, by displacement, from its existing point of interconnection with Mich Con at Willow Run Station in



Ypsilanti Township, Washtenaw County, Michigan, to Panhandle Eastern Pipe Line Company (Panhandle) at an existing interconnection located in Defiance County, Ohio, which would in turn deliver thermally equivalent volumes to Columbia Gas Transmission Corporation (Columbia) at an existing delivery point in Paulding County, Ohio, which would then redeliver such volumes to Sohio at its Lima, Ohio, plant. Once a proposed interconnection between Mich Wisc and Columbia is constructed and placed into service, redeliveries would be made by Mich Wisc directly to Columbia, it is explained. Mich Con states it would pay Mich Wisc 2.0 cents per dt delivered to either Columbia or Panhandle.

Mich Con indicates that the gas sold to Sohio is a less expensive source of supply than Sohio's traditional supplier, Columbia Gas of Ohio, Inc. and that the proposed sale would result in annual fuel cost savings which would enable Sohio to regain its competitiveness in the ammonia and urea production market. Mich Con further states that upon authorization of the requested service, Sohio would be able to recall approximately 70 of its 271 employees currently laid off.

Mich Con requests the Commission to issue a declaratory order stating that no Commission authorization is necessary to engage in the proposed transactions since the contemplated sale of gas to Sohio is a direct sale to an end-user and not a sale for resale and is exempt from Commission jurisdiction under Section 1(b) of the Natural Gas Act and the transportation of natural gas in interstate commerce necessary for this sale would be accomplished solely by Mich Wisc, Panhandle, and Columbia, and Mich Con would, therefore, not transport the gas in interstate commerce. Mich Con requests that the declaratory order specifically state that Mich Con requires no Commission authorization to undertake the proposed transactions and that none of Mich Con's facilities are or would be subject to the Commission's jurisdiction by virtue of engaging in these transactions.

Mich Con avers that if the Commission should determine that it is necessary for Mich Con to obtain authorization under Section 7(c) of the Natural Gas Act, it is in the present and future public convenience and necessity for such authorization to be granted for a limited term to terminate with the termination of the underlying sales agreement by either party and be expressly conditioned so as not to effect any change in the non-jurisdictional

status of any sales, operations, or facilities of Mich Con other than those which are the subject of such limited authorization. Mich Con submits that the Commission should state in any order granting such authorization that acceptance of the certificate would not impair the continued validity of the exclusion from the Commission's jurisdiction previously granted to Mich Con pursuant to Section 1(c) of the Natural Gas Act except to the extent necessary to enforce the terms and conditions of such certificate. Mich Con further requests that any such order expressly waive any and all accounting and reporting requirements except those expressly applicable to the authorized transaction.

Any person desiring to be heard or to make any protest with reference to said application and petition should on or before 5-9-83, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Mich Con to appear or

be represented at the hearing.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 83-10779 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-253-000]

### **Michigan Wisconsin Pipe Line Co.; Application**

April 18, 1983.

Take notice that on March 28, 1983, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP83-253-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing (1) an interruptible transportation service for Michigan Consolidated Gas Company (Mich Con), (2) an emergency exchange service between Applicant and Columbia Gas Transmission Corporation (Columbia), and (3) the construction and operation of an interconnection between the pipeline transmission facilities of Applicant and Columbia which is incident to the above transportation and emergency exchange services, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The applicant indicates that pursuant to an agreement dated March 21, 1983, Mich Con has agreed to sell to Sohio Chemical Company (Sohio) an annual quantity of 25,000,000 dt equivalent of natural gas at a maximum daily delivery rate not exceed 90,000 dt equivalent without the concurrence of Mich Con. The agreement states that this service is subject to interruption to the extent the gas supplies are required by Mich Con to provide adequate service to its own distribution customers. It is stated that the term of this agreement is for an initial period of two years commencing from the date of first deliveries and is automatically extendable for successive two year periods unless cancelled by either party by notification within 30 days of the end of the initial two year term or any two year extension. It is indicated that Sohio's Lima, Ohio, ammonia-products plant has lost its ability to compete with manufacturers of similar products due to the cost of natural gas from its present supplier. It is further stated that even small changes in the cost of natural gas have a direct impact on production costs and the economic well being of this plant since natural gas constitutes approximately 80 percent of the cost of ammonia

production. Sohio indicates that production of ammonia, urea, and carbon dioxide at its Lima plant were shut down on July 21, 1982, and that subsequently 70 of its 271 employees have been laid off and additional layoffs are likely if the facilities cannot be restored to full operations.

Applicant states that it has entered into an agreement with Mich Con dated March 23, 1983, which provides for the transportation of up to 90,000 dt equivalent of natural gas for subsequent redelivery of Sohio provided sufficient pipeline capacity is available to provide such service without detriment or disadvantage to Applicant's existing customers. Applicant states that it would receive the natural gas supplies from Mich Con, by displacement, at an existing point of delivery at Applicant's Willow Run Station in Ypsilanti Township, Washtenaw County, Michigan. Redeliveries of thermally equivalent volumes would be made by Applicant to Panhandle Eastern Pipe Line Company (Panhandle) at an existing delivery point located in Defiance County, Ohio, it is asserted. Panhandle would deliver equivalent volumes to Columbia at an existing delivery point and Columbia would deliver equivalent volumes to the Sohio plant in Lima, Ohio, at an existing delivery point, it is explained. Applicant informs that once the proposed interconnection with Columbia is placed into service redeliveries would be made by Applicant directly to Columbia.

Applicant states that Mich Con has agreed to pay it 2.0 cents per dt equivalent redelivered to either Panhandle or Columbia for Mich Con's account. In addition, Applicant states that Mich Con has agreed to pay a metering charge of 2.0 cents per dt equivalent redelivered by Applicant to Columbia at the new interconnection. This metering charge is proposed to be assessed on an aggregate of 28,364,000 dt equivalent of natural gas since Applicant has determined that this quantity is sufficient fully to reimburse Applicant for its cost of service associated with constructing and operating the new interconnection. Applicant states that the term of the agreement is for an initial period of two years commencing from the date of first deliveries and may be extended beyond such date providing notification is received from Mich Con at least 30 days prior to the end of the initial term.

Applicant proposes to construct and operate an interconnection in Paulding County, Ohio, which would connect Columbia's facilities with the mainline transmission system of Applicant. It is

stated that this new interconnection would comprise gas measurement, flow control and pressure regulating facilities, and interconnecting pipeline which collectively are estimated to cost \$448,920. The cost of constructing this interconnection would be financed by Applicant with funds presently on hand.

The proposed new interconnection would be utilized to effectuate direct deliveries to Columbia of the gas volumes transported by Applicant for the account of Mich Con and to effectuate the proposed gas exchange service between Columbia and Applicant. Applicant states that the new interconnection would be used by Applicant and Columbia to achieve additional operating flexibility and to assist each company in alleviating emergency situations via the exchange of gas. According to the terms of an agreement dated March 23, 1983, Applicant and Columbia have agreed, upon request, and to meet an emergency, to deliver up to 100,000 Mcf of natural gas per day to the other if the deliveries of such can be made without impairment of the service obligations of the delivering party. The agreement states further that as soon as possible, but within a period of 60 days thereafter, the party which received the emergency gas supplies would be obligated to redeliver thermally equivalent quantities at the new interconnection.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if

the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

**Kenneth F. Plumb,**

*Secretary.*

[FR Doc. 83-10780 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP83-245-000 and CP83-245-001]

#### Montana-Dakota Utilities Co.; Application

April 18, 1983.

Take notice that on March 21, 1983, Montana-Dakota Utilities Co. (Applicant), 400 North Fourth Street, Bismarck, North Dakota 58501, filed in Docket No. CP83-245-000 an application as supplemented in Docket No. CP83-245-001 on March 30, 1983, pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of direct sale taps on certain jurisdictional gas pipelines and related facilities, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate taps on the lines identified below for service to the following:

Name of customer	Location of tap	Class of customer
Terry Carson .....	Pembina County, ND .....	Residential.
Richard Brusseau .....	Pembina County, ND .....	Residential.
Dennis Bachard .....	Pembina County, ND .....	Residential.
Oscar Marcellin .....	Pembina County, ND .....	Residential.
Ron Falk .....	Pembina County, ND .....	Residential.
Leonard Rollistads .....	Pembina County, ND .....	Residential.
Bob Grube .....	Pembina County, ND .....	Residential.
Allan Svor .....	Pembina County, ND .....	Residential.
Orlo Mostad .....	Pembina County, ND .....	Residential.
Bob Hildenbrant .....	Pembina County, ND .....	Residential.
Tim Mattson .....	Burleigh County, ND .....	Residential.
Jens Traeholt .....	Burleigh County, ND .....	Residential.
Dane Fuchs .....	Morton County, ND .....	Residential.
Jim Thompson .....	Morton County, ND .....	Residential.
Roger Nesham .....	Ward County, ND .....	Residential.
Shaun Roll .....	Stark County, ND .....	Residential.
Gary Farstveit .....	Golden Valley, ND .....	Commercial.
John Rabenberg .....	Roosevelt County, MT .....	Residential.

Name of customer	Location of tap	Class of customer
America Colloid Co.	Phillips County, MT	Industrial.
Jim Anderson	Valley County, MT	Residential.
Westley Smith	Richland County, MT	Residential.
Agri-Systems	Big Horn County, MT	Commercial.
Ray Whitten	Carbon County, MT	Commercial.
Big Horn Calcium	Carbon County, MT	Industrial.
Reeves Concrete	Johnson County, WY	Commercial.
Jusher, Inc.	Johnson County, WY	Commercial.
Wayne Linstad	Lawrence County, SD	Residential.
P&S Seed	Phillips County, MT	Commercial.

It is stated that the gas supply for these customers would be from general system supply with impact on Applicant's supply being negligible.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10785 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

#### [Docket No. RP82-13-004]

#### **National Fuel Gas Supply Corp.; Proposed Changes in FERC Gas Tariff** April 18, 1983.

Take notice that on April 11, 1983, National Fuel Gas Supply Corporation (National Fuel) tendered for filing proposed changes in its FERC Gas Tariff, Original Volume Nos. 1 and 2. The proposed changes would reduce National Fuel's rates to the level contained in an amended settlement currently pending before the Commission in Docket No. RP82-13-000, for gas deliveries commencing March 1, 1983.

National Fuel states that the proposed tariff sheets are tendered only on the specific condition precedent that the amended settlement will be approved by the Commission without modification. If the amended settlement is not so approved, National Fuel states that these tariff sheets shall be deemed withdrawn and of no force and effect, *ab initio*.

National Fuel states that copies of this filing were served upon the company's jurisdictional customers and the regulatory commissions of the States of New York, Ohio, Pennsylvania, Delaware and New Jersey.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rule 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such petitions or protests should be filed on or before April 28, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10786 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

#### [Docket No. CP83-261-000]

#### **Panhandle Eastern Pipe Line Co.; Request Under Blanket Authorization** April 18, 1983.

Take notice that on March 31, 1983, Panhandle Eastern Pipe Line Company (Panhandle), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP83-261-000 a request pursuant to § 157.205

of the Regulations under the Natural Gas Act (18 CFR 157.205) to add two new delivery points under the authorization issued in Docket No. CP83-261-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Panhandle states that it would construct and operate two new delivery points to serve Indiana Gas Company (Indiana), an existing customer of Panhandle, in Hamilton County, Indiana (the Geist Reservoir delivery point), and Madison County, Indiana (the Reformatory delivery point), pursuant to a gas sales contract dated February 10, 1983. It is indicated that this contract replaces a contract dated June 1, 1981, and authorized by the Commission in Docket No. CP81-451. Panhandle states that sales to Indiana are made under its Rate Schedule G-1 which does not prohibit the addition of new delivery points.

It is asserted that maximum daily deliveries would be 2,500 Mcf at the Geist Reservoir delivery point and 1,000 Mcf at the Reformatory delivery point. It is further asserted that maximum daily deliveries at the Anderson No. 2 delivery point, which were set at 57,500 Mcf in the June 1, 1981, contract, would be reduced to 54,000 Mcf to allow for the maximum daily delivery of 3,500 Mcf at the two new delivery points. Therefore, Panhandle states that this proposal would not increase Indiana's contract demand and would be without detriment to Panhandle's other customers.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10787 Filed 4-21-83; 8:45 am]  
BILLING CODE 6717-01-M

**[Docket No. CP82-141-003]****Trunkline Gas Co.; Petition to Amend**

April 18, 1983.

Take notice that on March 31, 1983, Trunkline Gas Company (Petitioner), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP82-141-003 a petition to amend the order issued August 6, 1982, in Docket No. CP82-141-000 pursuant to Section 7(c) of the Natural Gas Act so as to authorize the addition of Panhandle Eastern Pipe Line Company (Panhandle) as a party to the transportation and exchange agreement dated December 29, 1981, between Petitioner, Columbia Gas Transmission Corporation (Columbia Gas) and Columbia Gulf Transmission Company (Columbia Gulf), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that by order issued August 6, 1982, Petitioner, Columbia Gas, and Columbia Gulf were authorized to exchange up to 20,000 Mcf of natural gas per day between points in offshore Louisiana. Petitioner further states that pursuant to the transportation and exchange agreement between the parties Columbia Gas delivers volumes of natural gas to Petitioner at Eugene Island Block 392, offshore Louisiana, and Trunkline delivers natural gas to Columbia Gas at Columbia Gulf's facilities in West Cameron Block 624, offshore Louisiana. Petitioner further states that Petitioner and Columbia Gas would receive exchange gas from offshore Louisiana and transport such volumes of natural gas to an existing interconnection between the facilities of Petitioner and Columbia Gulf located near Centerville, St. Mary Parish, Louisiana.

Petitioner proposes herein pursuant to an amendment No. 1, dated May 4, 1982, to the transportation and exchange agreement to make Panhandle a party to the exchange so as to allow Panhandle to deliver volumes of natural gas to Columbia Gulf in West Cameron Block 624 for the account of Petitioner as part of Petitioner's exchange volumes of 20,000 Mcf per day. Petitioner states that except for the addition of Panhandle as a party to the exchange, all other terms and conditions of the transportation and exchange agreement would remain in full force and effect.

It is asserted that the proposed implementation of amendment No. 1 to the transportation and exchange agreement would benefit Petitioner, Columbia Gas, Columbia Gulf, and Panhandle. It is explained that the proposal would enable all parties to

utilize their pipeline systems in the most efficient manner possible.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 of 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10788 Filed 4-21-83; 8:45 am]

**BILLING CODE 6717-01-M**

**[Docket No. CP81-166-001]****U-T Offshore System; Amendment**

April 18, 1983.

Take notice that on March 30, 1983, U-T Offshore System (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP81-166-001 an amendment to its pending application in Docket No. CP81-166-000 pursuant to Section 7(c) of the Natural Gas Act so as to reflect a total transportation service for its shippers of up to 1,606,097 Mcf of gas per day in lieu of 1,654,490 Mcf per day, all as more fully set forth in the amendment which is on file and open to public inspection.

Applicant states that its pending application in Docket No. CP81-166-000 requests authorization to construct, install, and operate 13,800 horsepower of compression at the Johnson's Bayou plant in Louisiana as well as to render firm transportation service of up to 1,654,490 Mcf of gas per day. Applicant further states that it is now proposing a reduction in proposed firm transportation service designed to conform to the reduced transportation requests contained in an amendment to High Island Offshore System's (HIOS) pending application in Docket No. CP80-408-001. It is explained that the proposed new level of firm transportation service also reflects the addition of 14,197 Mcf per day which is to be delivered to Applicant at West Cameron Block 116 for the account of three shippers.

Despite the reduction in proposed firm transportation authority, Applicant asserts it would be necessary to install the same facilities proposed in its pending application in Docket No. CP81-166-000. Applicant notes that the estimated cost of the facilities proposed in the application has risen from \$21,500,000 to \$22,914,000.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before May 9, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-10789 Filed 4-21-83; 8:45 am]

**BILLING CODE 6717-01-M**

**[Docket No. ER83-342-000 and Docket No. ER83-343-000]**

**Vermont Electric Power Co., Inc. and Vermont Yankee Nuclear Power Co.; Order Accepting for Filing and Suspending Proposed Contract Amendments, Noting Interventions, Granting Waiver, Denying Summary Judgment, Consolidating Dockets, and Establishing Procedures**

Issued: April 15, 1983.

On February 23, 1983, Vermont Yankee Nuclear Power Corporation (Vermont Yankee) submitted for filing a proposal to amend Section 7 of its Power Contract<sup>1</sup> with the ten owner-sponsors of the 540 MW Vermont Yankee nuclear generating facility.<sup>2</sup> Vermont Yankee seeks to begin collecting the estimated cost of ultimately decommissioning this facility. The revenue increase resulting from this

<sup>1</sup> See Attachment A for rate schedule designations.

<sup>2</sup> The Power Contract contains a formula rate through which the sponsors are assessed monthly charges associated with operation of the Vermont Yankee plant in proportion to their respective entitlements in the plant capability.

proposed amendment would be about \$8.3 million (7.8%) on an annualized basis for 1983. Vermont Yankee requests an effective date of April 24, 1983, sixty days after filing. The company, however, has stated that it will defer collection of these revenues until September 1, 1983, in order to allow the utilities purchasing the output from the facility to provide for the pass-through of these charges to their customers. Vermont Yankee also seeks waiver of section 35.13 of the Commission's filing regulations, asserting that the instant filing does not amend the design of the existing cost of service formula rate and that submission of all the required data would prove costly while adding no relevant information.

Vermont Yankee has sponsored a study estimating that it will cost \$72,770,000 (in 1981 dollars) to dismantle the facility. Based on an assumed 7 percent inflation rate, the company calculates that it will require \$422,613,000 to decommission the facility as planned in the year 2007. In addition, based on the assumption that these revenues may be subject to State and Federal taxes, Vermont Yankee also seeks to recover the amounts associated with such potential tax liability.

Vermont Yankee, however, indicates that it is seeking a ruling from the Internal Revenue Service (IRS) that amounts collected to finance the decommissioning are not subject to taxation.<sup>3</sup> Vermont Yankee, therefore, proposes to place the amounts that it will collect in an interim escrow account prior to obtaining a ruling from the IRS. In the event that a favorable ruling is obtained, Vermont Yankee states that it will refund, with interest, all amounts previously collected and attributable to the taxes. In any event, after a ruling has been obtained, the appropriate funds will be transferred to a trust.<sup>4</sup>

Also on February 23, 1983, Vermont Electric Power Company (VELCO) submitted for filing an amendment to its Three-Party Power Agreement with Central Vermont Public Service Company (Central Vermont) and Green Mountain Power Corporation (Green Mountain). Under that agreement, Central Vermont and Green Mountain,

two of the owner-sponsors, assign to VELCO their entitlements to Vermont Yankee capacity and energy, and VELCO, in turn, makes such capacity and energy available to other Vermont utilities. The proposed amendment would permit VELCO to pass on the these utilities the decommissioning costs to be charged by Vermont Yankee.<sup>5</sup> VELCO requests that its submittal become effective coincident with that of Vermont Yankee.

Notices of the Vermont Yankee and VELCO filings were published in the *Federal Register* with comments due on or before March 23, 1983. On March 23, 1983, the Vermont Yankee Department of Public Service (Department) filed notices of intervention in both dockets. The Department states its opposition to the Vermont Yankee and VELCO filings on the basis that the filing utilities have yet to demonstrate that the proposed decommissioning plan (1) will result in the lowest possible cost to ratepayers, and (2) will adequately assign responsibility in the event that the decommissioning fund proves insufficient. The Department notes, in particular, that the tax issues relating to the decommissioning revenues remain unresolved. In addition, the Department has suggested alternative approaches such as the establishment of separate trusts by the individual sponsors, or State collection of decommissioning costs through an excise tax mechanism.

A joint notice of intervention in the Vermont Yankee docket was timely filed by the Connecticut Public Utilities Control Authority, the Massachusetts Department of Public Utilities, the New Hampshire Public Utilities Commission, the Maine Public Utilities Commission, the Rhode Island Division of Public Utilities and Carriers, and the Vermont Department of Public Service. This pleading raised no specific issues. Separate notices of intervention were also timely filed in Docket No. ER83-343-000 by the Maine Public Utilities Commission, and the Attorney General of the State of Rhode Island. The Attorney General states that Vermont Yankee's proposed revenues have not been shown to be reasonable and he requests that the submittal be suspended for five months.

A joint motion to intervene was also timely filed in Docket NO. ER83-343-000 by Central Vermont and Green Mountain. The Vermont Electric Generation and Transmission Cooperative likewise filed a motion to intervene. The cooperative is a

stockholder of Vermont Yankee and has a life-of-the-unit entitlement in the facility.

Another motion to intervene in the Vermont Yankee docket was timely filed by 22 Massachusetts Cities<sup>6</sup> who have purchased from certain of the ten owner-sponsors power entitlements totaling 4.6 percent of the capacity and energy of Vermont Yankee. The Cities also filed a supplement to their motion to intervene on March 25, 1983.

The Cities request that the Commission issue a deficiency letter seeking clarification of the mechanics of Vermont Yankee's decommissioning proposal. The Cities also ask that the Commission summarily reduce the proposed revenues by one-half on the grounds that such revenues are excessive and unsupported, and also represent uncertain Federal income tax liability associated with the revenues to finance the decommissioning. Alternatively, the Cities propose that they, instead of Vermont Yankee, be allowed to hold in trust the dollars associated with this potential tax liability. Further, the Cities propose that they be allowed to hold all decommissioning payments in their own trust to minimize total payments in light of their status as tax-exempt entities. According to the Cities, the amounts purportedly required for decommissioning are substantially overstated in a number of specific respects. In addition, the Cities object that the proposed amendment does not specifically state that any refunds will be passed on from the ten sponsors to the nonsponsor utilities.

On April 7, 1983, Vermont Yankee filed an answer to the Cities' protest of March 23, 1983. Vermont Yankee does not object to the Cities' motion to intervene but does oppose their requests for summary reduction of the proposed revenues, for permission to hold funds in their own separate trusts, and for the issuance of a deficiency letter.

#### Discussion

We shall grant Vermont Yankee's request for waiver of § 35.13 of the Commission's regulations pertaining to the submission of full cost of service data. Vermont Yankee's proposal concerns a single cost item under a formula rate—decommissioning expense—and it has provided a study sufficient in detail to permit a

<sup>3</sup> According to Vermont Yankee, under current Federal tax policy, it will not be able to deduct the costs of decommissioning from taxable income during the life of the facility. Rather, the costs of decommissioning may be expensed and deducted for tax purposes only as they are incurred. However, no benefits will arise from the tax deduction because, at that time, Vermont Yankee will have no revenues or taxable income to be offset by the decommissioning costs.

<sup>4</sup> Vermont Yankee's submittal also includes a proposed interim escrow agreement and trust indenture.

<sup>5</sup> Vermont Yankee and VELCO both request that their filings be consolidated for purposes of hearing and decision.

<sup>6</sup> Holyoke, Taunton, Chicopee, Shrewsbury, Braintree, Peabody Westfield, Danvers, Wakefield, Hingham, Marblehead, Middle-borough, North Attleboro, Hudson, Ipswich, West Boylston, Hull, Middleton, Georgetown, Paxton, Sterling, and Boylston.

preliminary examination of the proposal. Given this determination, we shall deny the Cities' request that a deficiency letter be issued. The Cities will have the opportunity to address the need for further clarification of Vermont Yankee's proposal during the course of an evidentiary hearing.

We shall also deny the Cities' request to summarily reduce the revenues which Vermont Yankee proposes to collect. The issues of income tax liability, Vermont Yankee's support for its position, the stated amounts required for decommissioning, and alternative strategies for developing an appropriate funding mechanism all present questions of law and fact most appropriately resolved based on a hearing record.

Our preliminary review of the submittals by Vermont Yankee and VELCO indicates that the proposed amendments have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. Accordingly, we shall accept the submittals for filing and suspend them as ordered below.

In *West Texas Utilities Co.*, Docket No. ER82-23-000, 18 FERC ¶61,189 (1982), we explained that where our preliminary examination indicates that proposed rates may be unjust and unreasonable and may produce substantially excessive revenues, as defined in *West Texas*, we would generally impose a maximum suspension. Review of Vermont Yankee's decommissioning proposal suggests that the proposed charges may produce substantially excessive revenues. Accordingly, we shall suspend the proposed rates for five months from sixty days after filing to become effective on September 24, 1983, subject to refund. Similarly, VELCO's proposal, which provides for the pass-through of the Vermont Yankee decommissioning changes and a coincident effective date, will also be suspended to become effective on September 24, 1983, subject to refund. We shall consolidate the filings made by Vermont Yankee and VELCO as requested, inasmuch as common questions of law and fact are clearly presented.

Finally, we note that under Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214), the timely notices of intervention and motions to intervene serve to make the previously listed persons parties to this consolidated proceeding.

#### The Commission Orders.

(A) Vermont Yankee's request for waiver of section 35.13 of the

Commission's regulations is hereby granted.

(B) The Cities' motions for issuance of a deficiency letter or for summary reduction of the revenues proposed by Vermont Yankee are hereby denied.

(C) The amendments proposed by Vermont Yankee and VELCO are hereby accepted for filing and suspended for five months, to become effective on September 24, 1983, subject to refund.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning the justness and reasonableness of Vermont Yankee's and VELCO's decommissioning proposals.

(E) Docket Nos. ER83-342-000 and ER83-343-000 are hereby consolidated for purposes of hearing and decision.

(F) A presiding administrative law judge, to be designated by the Chief Administrative Law Judge, shall convene a conference in this proceeding to be held within approximately fifteen (15) days after the date of this order, in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The presiding judge is authorized to establish procedural dates and to rule on all motions (except motions to dismiss) as provided in the Commission's Rules of Practice and Procedure.

(G) The Secretary shall promptly publish this order in the *Federal Register*.

By the Commission.  
Kenneth F. Plumb,  
Secretary.

**Attachment A—Vermont Electric Power Company, Inc., Vermont Yankee Nuclear Power Corporation, Docket Nos. ER83-342-000 and ER83-343-000**

#### Rate Schedule Designations

##### Designation and Description

*Docket No. ER83-342-000: Vermont Electric Power Company, Inc.*  
Supplement No. 13 to Rate Schedule FPC No. 154—An undated Agreement to Amend the Three-Party Power Agreement

*Docket No. ER83-343-000: Vermont Yankee Nuclear Power Corporation*  
Supplement No. 1 to Rate Schedule FPC No. 1—Amendment No. 2 to

Vermont Yankee Power Contract Supplement No. 2 to Rate Schedule FPC No. 1—Vermont Yankee Decommissioning Fund—Dollar Cost Impact of Customers and life of Unit Secondary Purchases

[FR Doc. 83-10790 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-2352-3]

### Availability of Environmental Impact Statements Filed April 11 Through April 15, 1983 Pursuant to 40 CFR 1506.9

**RESPONSIBLE AGENCY:** Office of Federal Activities, General Information, (202) 382-5075 or 382-5076.

#### Corps of Engineers:

EIS No. 830202, Final, COE, AK, Bethel Bank Stabilization Project, Kuskokwim River, Due: May 23, 1983.

#### Department of the Interior:

EIS No. 830205, Draft, BLM, SEV, WY, MT, Billings Resource Area, Resource Management Plan, Due: July 15, 1983.

#### Department of Transportation:

EIS No. 830208, Final FHW, TX, I-20 Widening, TX-183 to I-35W, Tarrant County, Due: May 23, 1983.

#### Department of Housing and Urban Development:

EIS No. 830204, Draft, CDB, MI, Hannah Technology and Research Center, UDAG, Ingham County, Due: June 6, 1983.

#### Department of Agriculture:

EIS No. 830207, Final, SCS, IN, Twin-Rush Creek Watershed Flood Protection Plan, Washington County, Due: May 23, 1983.

#### Department of Defense, Air Force:

EIS No. 830206, Draft, UAF, SEV, OR, CA, WA, ID, West Coast Over-the-Horizon Backscatter Radar System, Due: June 10, 1983.

#### Amended Notice:

EIS No. 830195, FSuppl, UMT, MD, Washington Metrorail System, W Hyattsville Segment, Prince Georges County, Published FR April 15, 1983, Incorrect status and County, Due: May 16, 1983.

Dated: April 19, 1983.

Pasquale A. Alberico,

Acting Director, Office of Federal Activities.

[FR Doc. 83-10765 Filed 4-21-83; 8:45 am]

BILLING CODE 6560-50-M

[OPTS-59121; TSH-FRL 2337-2]

### Certain Chemicals; Premanufacture Exemption Applications

#### Correction

In FR Doc. 83-8477 beginning on page 14036, in the issue of Friday, April 1, 1983 make the following correction:



On page 14037, column one, line eighteen, "TME 83-6" should read "TME 83-36."

BILLING CODE 1505-10-M

[OPTS-51463; BH-FRE 2351-6]

### Certain Chemicals; Premanufacture Notices

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of interim policy published in the *Federal Register* of May 15, 1979 (44 FR 28558) and November 7, 1980 (45 FR 74378). This notice announces receipt of fifteen PMNs and provides a summary of each.

**DATES:** Close of Review Period:

PMN 83-627—July 6, 1983.

PMN 83-628, 83-629, 83-630 and 83-631—July 9, 1983.

PMN 83-632, 83-633 and 83-634—July 10, 1983.

PMN 83-635 and 83-636—July 11, 1983.

PMN 83-637, 83-638, 83-639, 83-640 and 83-641—July 12, 1983.

Written comments by:

PMN 83-627—June 6, 1983.

PMN 83-628, 83-629, 83-630 and 83-631—June 9, 1983.

PMN 83-632, 83-633 and 83-634—June 10, 1983.

PMN 83-635 and 83-636—June 11, 1983.

PMN 83-637, 83-638, 83-639, 83-640 and 83-641—June 12, 1983.

**ADDRESS:** Written comments, identified by the document control number "[OPTS-51463]" and the specific PMN number should be sent to: Document Control Officer (TS-793), Office of Toxic Substances, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, DC 20460, (202-382-3532).

### FOR FURTHER INFORMATION CONTACT:

Theodore Jones, Acting Chief, Notice Review Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-216, 401 M St., SW., Washington DC 20460, (202-382-3729).

**SUPPLEMENTARY INFORMATION:** The following notice contains information extracted from the non-confidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete non-confidential document is available in the Public Reading Room E-107.

#### PMN 83-627

*Importer.* Allied Corporation.

*Chemical.* (G) Substituted diene urethane.

*Use/Import.* (G) Specialty ink for labeling. Import range: Confidential.

*Toxicity Data.* Acute oral: > 5 g/kg; Irritation: Skin—Non-irritant, Eye—Non-irritant; Ames Test: Non-mutagenic; Skin sensitization: None.

*Exposure.* Confidential.

*Environmental Release/Disposal.* Confidential. Disposal by landfill.

#### PMN 83-628

*Manufacturer.* Confidential.

*Chemical.* (S) Reaction product of diglycidyl ether of bisphenol A, dimer acid, soya fatty acid and dimethylol propionic acid.

*Use/Production.* (S) Site-limited and industrial resin for manufacturing automotive paint. Prod. range: Confidential.

*Toxicity Data.* No data submitted.

*Exposure.* Processing, use and disposal: dermal and inhalation, a total of 32 workers, up to 7 hrs/da, up to 250 da/yr.

*Environmental Release/Disposal.* More than 10,000 kg/yr released to land. Disposal by landfill.

#### PMN 83-629

*Manufacturer.* Confidential.

*Chemical.* (S) Reaction product of 2-butanone oxime and polymethylene polyphenylene isocyanate.

*Use/Production.* (S) Site-limited and industrial resin for manufacturing automotive paint. Prod. range: Confidential.

*Toxicity Data.* No data submitted.

*Exposure.* Processing, use and disposal: dermal and inhalation, a total of 32 workers, up to 7 hrs/da, up to 250 da/yr.

*Environmental Release/Disposal.* More than 10,000 kg/yr released to land. Disposal by landfill.

#### PMN 83-630

*Manufacturer.* Confidential.

*Chemical.* (G) Reaction product of an aromatic diglycidyl ether, an amine and a cyclic ester.

*Use/Production.* (S) Site-limited and industrial resin for manufacturing automotive paint. Prod. range: Confidential.

*Toxicity Data.* No data submitted.

*Exposure.* Processing, use and disposal: dermal and inhalation, a total of 32 workers, up to 7 hrs/da, up to 250 da/yr.

*Environmental Release/Disposal.*

More than 10,000 kg/yr released to land. Disposal by landfill.

#### PMN 83-631

*Manufacturer.* Confidential.

*Chemical.* (G) Polymer of formaldehyde and substituted phenols.

*Use/Production.* Confidential. Prod. range: Confidential.

*Toxicity Data.* No data submitted.

*Exposure.* Confidential.

*Environmental Release/Disposal.* Confidential.

#### PMN 83-632

*Manufacturer.* Confidential.

*Chemical.* (S) 7-[4-chloro-6-[3-[2-(hydroxy sulfonyloxy) ethylsulfonyl]-N-ethylanilino]-1,3,5-triazine-2-ylamino]-4-hydroxy-3-(4-methoxy-2-sulphophenylazo)-2-naphthalenesulfonic acid, trisodium salt.

*Use/Import.* (S) Industrial dyestuff. Import range: 500-10,000 kg/yr.

*Toxicity Data.* Acute oral: > 5,000 mg/kg; Irritation: Skin—Very slight, Eye—Mild to negative.

*Exposure.* No data submitted.

*Environmental Release/Disposal.* No data submitted.

#### PMN 83-633

*Manufacturer.* Confidential.

*Chemical.* (S) 4-amino-5-hydroxy-3-[3-[2-(hydroxysulfonyloxy)ethylsulfonyl]phenylazo]-6-[1,5-disulfo-2-naphthylazo]-2,7-naphthalenedisulfonic acid, pentasodium salt.

*Use/Import.* (S) Industrial dyestuff. Import range: Confidential.

*Toxicity Data.* Acute oral: > 5,000 mg/kg; Irritation: Skin—Negative, Eye—Moderate to negative.

*Exposure.* No data submitted.

*Environmental Release/Disposal.* No data submitted.

#### PMN 83-634

*Importer.* Confidential.

*Chemical.* (G) Substituted mono azo aromatic.

*Use/Import.* (S) Colorant for industrial coatings on metal. Import range: Confidential.

*Toxicity Data.* Acute oral: > 5,000 mg/kg; Irritation: Skin—Non-irritant, Eye—Non-irritant; Ames Test: Non-mutagenic.

*Exposure.* Processing: dermal and inhalation, a total of 1 worker, up to 2 hrs/max.

*Environmental Release/Disposal.* Less than 10 kg/yr released to air.



**PMN 83-635**

*Manufacturer.* Confidential.  
*Chemical.* (G) Isocyanate functional polyester urethane prepolymer.  
*Use/Production.* (S) Curative for two part urethane adhesive system. Prod. range: 10,000-40,000 kg/yr.  
*Toxicity Data.* No data submitted.  
*Exposure.* Manufacture: dermal and inhalation, a total of 2 workers/batch, up to 7 hrs/batch, up to 12 batches/yr.  
*Environmental Release/Disposal.* No release. Disposal by Resource Conservation Recovery Act (RCRA)—licensed waste hauler.

**PMN 83-636**

*Manufacturer.* Confidential.  
*Chemical.* (G) Modified polyester polyurethane.  
*Use/Production.* (G) Open use. Prod. range: 0-12,900 kg/yr.  
*Toxicity Data.* No data submitted.  
*Exposure.* Manufacture, processing and use: dermal, inhalation and ocular, a total of 39 workers, up to 8 hrs/da, up to 260 da/yr.  
*Environmental Release/Disposal.* Less than 10 kg/yr released to air and water with 10-100 kg/yr to land. Disposal by incineration and landfill.

**PMN 83-637**

*Manufacturer.* Confidential.  
*Chemical.* (G) Polyether alkenyl alkanyl esters.  
*Use/Production.* (G) contained use. Prod. range: Confidential.  
*Toxicity Data.* No data submitted.  
*Exposure.* Manufacture, processing, use and disposal: dermal, a total of 18 workers, up to 2 hrs/da, up to 250 da/yr.  
*Environmental Release/Disposal.* More than 10,000 kg/yr released to water with 100-1,000 kg/yr to land. Disposal by biological treatment system and landfill.

**PMN 83-638**

*Manufacturer.* Confidential.  
*Chemical.* (G) Polyether alkenyl alkanyl esters.  
*Use/Production.* (G) Contained use. Prod. range: Confidential.  
*Toxicity data.* No data submitted.  
*Exposure.* Manufacture, processing, use and disposal: dermal, a total of 18 workers, up to 2 hrs/da, up to 250 da/yr.  
*Environmental Release/Disposal.* 1,000-10,000 kg/yr released to water with 1,000-10,000 kg/yr to land. Disposal by biological treatment system and landfill.

**PMN 83-639**

*Manufacturer.* Confidential.  
*Chemical.* (G) Trisubstituted benzoxazolium salt.

*Use/Production.* (G) Low volume site-limited intermediate. Prod. range: 2-35 kg/yr.

*Toxicity Data.* No data submitted.  
*Exposure.* Manufacture and use: dermal and inhalation, minimal.  
*Environmental Release/Disposal.* No release. Disposal by biological treatment system and incineration.

**PMN 83-640**

*Manufacturer.* Confidential.  
*Chemical.* (G) Disubstituted benzenamine.  
*Use/Production.* (G) Low volume site-limited intermediate. Prod. range: 1-15 kg/yr.

*Toxicity Data.* No data submitted.  
*Exposure.* Manufacture and use: dermal and inhalation minimal.  
*Environmental Release/Disposal.* No release. Disposal by biological treatment system and incineration.

**PMN 83-641**

*Manufacturer.* Confidential.  
*Chemical.* (G) Trisubstituted benzothiazolium salt.  
*Use/Production.* (G) Incorporated as a minor constituent in an article for commercial and consumer use. Prod. range: 1-30 kg/yr.

*Toxicity Data.* No data submitted.  
*Exposure.* Manufacture and use: dermal and inhalation minimal.  
*Environmental Release/Disposal.* No release. Disposal by biological treatment system and incineration.

Dated: April 15, 1983.  
 Linda A. Travers,  
*Acting Director, Management Support Division.*

[FR Doc 83-10621 Filed 4-21-83; 8:45 am]  
 BILLING CODE 6560-50-M

**FEDERAL HOME LOAN BANK BOARD****[No. AC-231]**

**Commonwealth Federal Savings and Loan Association; Lowell, Massachusetts; Final Action Approval of Post-Approval Amendments to Mutual-to-Stock Conversion Application**

Notice is hereby given that on April 7, 1983, the General Counsel of the Federal Home Loan Bank Board ("Board"), acting pursuant to authority delegated to him by the Board, approved Post-Approval Amendments No. 4 and 5 to the mutual-to-stock conversion application of Commonwealth Federal Savings and Loan Association, Lowell, Massachusetts ("Association"). The application had been approved by the Board by Resolution No. 81-420, dated July 27, 1981. Copies of the application

and all amendments there to are available for inspection at the Secretariat of the Board, 1700 G Street, NW., Washington, D.C. 20552, and at the Office of the Supervisory Agent, Federal Home Loan Bank of Boston, P.O. Box 2196, Boston, Massachusetts 02106.

Dated: April 18, 1983.

By the Federal Home Loan Bank Board.

J. J. Finn,

*Secretary.*

[FR Doc. 83-10703 Filed 4-21-83; 8:45 am]

BILLING CODE 6720-01-M

**[No. AC-232]**

**Home Federal Savings and Loan Association of the Rockies; Fort Collins, Colorado; Final Action Approval of Post-Approval Amendments to Mutual-to-Stock Conversion Application**

Notice is hereby given that on April 7, 1983, the General Counsel of the Federal Home Loan Bank Board ("Board"), acting pursuant to authority delegated to him by the Board, approved Post-Approval Amendment No. 1 to the mutual-to-stock conversion application of Home Federal Savings and Loan Association of the Rockies, Fort Collins, Colorado ("Association"). The application had been approved on July 13, 1982, by the Office of General Counsel pursuant to authority delegated to it by § 563b.3.3(w)(2) of the Rules and Regulations for Insurance of Accounts. Copies of the application and all amendments thereto are available for inspection at the Secretariat of the Board, 1700 G Street, NW., Washington, D.C. 20552, and at the Office of the Supervisory Agent, Federal Home Loan Bank of Topeka, P.O. Box 176, Topeka, Kansas 66601.

Dated: April 18, 1983.

By the Federal Home Loan Bank Board.

J. J. Finn,

*Secretary.*

[FR Doc. 83-10705 Filed 4-21-83; 8:45 am]

BILLING CODE 6720-01-M

**[No. AC-230]**

**United Federal Savings and Loan Association; Sarasota, Florida; Final Action Approval of Post-Approval Amendments to Mutual-to-Stock Conversion Application**

Notice is hereby given that on April 11, 1983, the General Counsel of the Federal Home Loan Bank Board ("Board"), acting pursuant to authority delegated to him by the Board, approved

Post-Approval Amendment No. 1 to the mutual-to-stock conversion application of United Federal Savings and Loan Association, Sarasota, Florida ("Association"). The application had been approved by the Board by Resolution No. 81-458, August 12, 1981. Copies of the application and all amendments thereto are available for inspection at the Secretariat of the Board, 1700 G Street, NW., Washington, D.C. 20552, and at the Office of the Supervisory Agent, Federal Home Loan Bank of Atlanta, Post Office Box 56527, Atlanta, Georgia 30343.

Dated: April 16, 1983.

By the Federal Home Loan Bank Board.

J. J. Finn,  
Secretary.

[FR Doc. 83-10704 Filed 4-21-83; 8:45 am]

BILLING CODE 6720-01-M

## FEDERAL MARITIME COMMISSION

### Security for Protection of Public Indemnification of Passengers for Nonperformance of Transportation; Issuance of Certificate (Performance)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of Section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540): Canadian Cruise Lines 1982 Ltd., Suite 401, 1208 Wharf Street, Victoria, British Columbia V8W 3B9, Canada.

Dated: April 19, 1983.

Francis C. Hurney,  
Secretary.

[FR Doc. 83-10797 Filed 4-21-83; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL RESERVE SYSTEM

### Agency Forms Under Review

April 18, 1983.

#### Background

When executive departments and independent agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Paperwork Reduction Act [44 U.S.C. Chapter 35]. Departments and agencies use a number of techniques to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibilities under the act also considers comments on the

forms and recordkeeping requirements that will affect the public. Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. OMB's usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the *Federal Register*, but occasionally the public interest requires more rapid action.

#### List of Forms Under Review

Immediately following the submission of a request by the Federal Reserve for OMB approval of a reporting or recordkeeping requirement, a description of the report is published in the *Federal Register*. This information contains the name and telephone number of the Federal Reserve Board clearance officer (from whom a copy of the form and supporting documents is available). The entries are grouped by type of submission—i.e., new forms, revisions, extensions (burden change), extensions (no change), and reinstatements.

Copies of the proposed forms and supporting documents may be obtained from the Federal Reserve Board clearance officer whose name, address, and telephone number appear below. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF 83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review.

For further information contact:  
Federal Reserve Board Clearance Officer—Cynthia Glassman—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 (202-452-3829)

OMB Reviewer—Richard Sheppard—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503 (202-395-6880)

#### Request for Approval of New Reports

1. Report title: Annual Report of Total Deposits and Total Reservable Liabilities; Quarterly Report of Selected Deposits, Vault Cash, and Reservable Liabilities

Agency form number: FR 2910a, FR 2910q

Frequency: Annual, quarterly  
Reporters: Depository institutions  
SIC Code: 602, 603, 605, 612, 614  
Small businesses are affected.

General description of report:  
respondent's obligation to reply is mandatory [12 U.S.C. 248(a) and 461];

a pledge of confidentiality is promised [5 U.S.C. 552 (b)(4) and (b)(8)].

These reports collect information from those depository institutions (other than Edge Act and Agreement Corporations, U.S. Branches and Agencies of foreign banks, and certain member and former member commercial banks) that are exempt from reserve requirements under the Garn-St Germain Depository Institutions Act of 1982. The reports will provide the minimum amount of information needed for ensuring compliance with reserve requirements and for adequately constructing, analyzing, and controlling the monetary aggregates.

#### Request for Approval for Revision to Existing Report

1. Report title: Report of Transaction Accounts, Other Deposits and Vault Cash

Agency form number: FR 2900

Frequency: Daily, weekly, quarterly

Reporters: Depository institutions

SIC Code: 602, 603, 605, 612, 614

Small businesses are affected.

General description of report:

respondent's obligation to reply is mandatory [12 U.S.C. 248, 461, 3105]; a pledge of confidentiality is promised [5 U.S.C. 552 (b)(4) and (b)(8)].

Package of reports collects information on deposit data for depository institutions that have transaction accounts, or nonpersonal time deposits (FR 2900), Eurocurrency deposits from depository institutions that obtain funds from foreign (non-U.S.) sources or that maintain foreign branches (FR 2950, 2951); and selected items on the FR 2900 in advance from large commercial banks and a sample of small commercial banks (FR 2000, 2001) to ensure compliance and for construction of the monetary aggregates.

Board of Governors of the Federal Reserve System, April 18, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-10716 Filed 4-21-83; 8:45 am]

BILLING CODE 6210-01-M

### Independence Bancorp, Inc.; Merger of Bank Holding Companies

Independence Bancorp, Inc., Perkasie, Pennsylvania, has applied for the Board's approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge with Cheltenham Corporation, Cheltenham, Pennsylvania, a one-bank holding company with respect to Cheltenham Bank, Cheltenham, Pennsylvania. The factors that are considered in acting on

the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Philadelphia. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 14, 1983. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 18, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-10719 Filed 4-21-83; 8:45 am]

BILLING CODE 6210-01-M

#### Formation of Bank Holding Companies; State Bancorp, Inc.

The companies listed in this notice have applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become bank holding companies by acquiring voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

**A. Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *State Bancorp, Inc.*, Bruceton Mills, West Virginia; to become a bank holding company by acquiring 80 percent of the voting shares of Bruceton Bank, Bruceton Mills, West Virginia. Comments on this application must be received not later than May 18, 1983.

**B. Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *Upper Cumberland Bancshares, Inc.*, Byrdstown, Tennessee; to become a bank holding company by acquiring 100 percent of the voting shares of Peoples Bank and Trust Company of Pickett County, Byrdstown, Tennessee. Comments on this application must be received not later than May 18, 1983.

**C. Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60609:

1. *First State Bancorp., Inc.*; Marion, Indiana, to become a bank holding company by acquiring 100 percent of the voting shares of First State Bank of Dunkirk, Dunkirk, Indiana. Comments on this application must be received not later than May 18, 1983.

**D. Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Century State Bancshares, Inc.*; Columbia, Missouri; to become a bank holding company by acquiring 80 percent of the voting shares of Century State Bank, Columbia, Missouri. Comments on this application must be received not later than May 18, 1981.

2. *Faulkner County Bankshares, Inc.*; Conway, Arkansas; to become a bank holding company by acquiring at least 80 percent of the voting shares of The First National Bank of Conway, Conway, Arkansas. Comments on this application must be received not later than May 18, 1983.

**E. Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Vice President) 250 Grand Avenue, Kansas City, Missouri 64198:

1. *Platte Valley National Company, Inc.*, Schuyler, Nebraska; to become a bank holding company by acquiring 100 percent of the voting shares of Platte Valley National Bank, Columbus, Nebraska. Comments on this application must be received not later than May 18, 1983.

**F. Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

1. *Central Bancorporation*, Wenatchee, Washington; to become a bank holding company by acquiring 100 percent of the voting shares of Central Washington Bank, Wenatchee, Washington. Comments on this application must be received not later than May 18, 1983.

Board of Governors of the Federal Reserve System, April 18, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-10720 Filed 4-21-83; 8:45 am]

BILLING CODE 6210-01-M

#### Formation of Bank Holding Companies; Trans Kentucky Bancorp

The companies listed in this notice have applied for the Board's approval under 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding companies by acquiring voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

**A. Federal Reserve Bank of Cleveland** (Lee S. Adams, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *Trans Kentucky Bancorp*, Pikeville, Kentucky; to become a bank holding company by acquiring 100 percent of the voting shares of The Citizens Bank of Pikeville, Pikeville, Kentucky. Comments on this application must be received not later than May 12, 1983.

**B. Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *Colony Bancorp, Inc.*, Fitzgerald, Georgia; to become a bank holding company by acquiring 100 percent of the voting shares of The Bank of Fitzgerald, Fitzgerald, Georgia. Comments on this application must be received not later than May 13, 1983.

**C. Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *First Bank Capital Corporation*, Tupelo, Mississippi; to become a bank holding company by acquiring 100 percent of the voting shares of the successor by merger to First Citizens National Bank, Tupelo, Mississippi. Comments on this application must be received not later than May 13, 1983.

**D. Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Jena Holding Company*, New Orleans, Louisiana; to become a bank holding company by acquiring 88.6 percent of the voting shares of LaSalle

Bancshares, Inc., Jena, Louisiana, and thereby indirectly acquire LaSalle Bank, Jena, Louisiana. Comments on this application must be received not later than May 13, 1983.

2. *Uvalde Bancshares, Inc.*, Uvalde, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of The Uvalde Bank, Uvalde, Texas. Comments on this application must be received not later than May 13, 1983.

Board of Governors of the Federal Reserve System, April 18, 1983.

James McAfee,

*Associate Secretary of the Board.*

[FR Doc. 83-10721 Filed 4-21-83; 8:45 am]

BILLING CODE 6210-01-M

## FEDERAL TRADE COMMISSION

### Line of Business Program; Extension of Comment Period

**AGENCY:** Federal Trade Commission.

**ACTION:** Notification of extension of time to May 9, 1983 for receiving comments on the staff analysis of the benefits and costs of the Federal Trade Commission.

**SUMMARY:** The Commission will consider in the near future whether to resume Line of Business date collection for years subsequent to 1977. The Commission requested comments on the staff analysis by a Federal Register announcement of March 10, 1983 (48 FR 10130). A 45-day comment period was established. By this current announcement, the Commission extends the April 25, 1983 deadline for the expiration of the comment period to May 9, 1983. Comments should be submitted in writing to the Secretary of the Commission; twenty copies should be supplied.

**ADDRESS:** Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

**SUPPLEMENTARY INFORMATION:** The staff analysis released for public comment consists of a set of six documents totalling over 1,000 pages containing analysis and recommendations concerning the resumption of line of business data collection. Certain parties requested the Commission for a brief extension of the comment period, stating the length of the documents and difficulties incurred in receiving copies quickly made it difficult to review the material and adequately prepare their comments within the 45-day period allotted by the Commission. Accordingly, the Commission extends the comment period an additional 14

days. By this notice, the Comment period will now expire May 9, 1983.

Copies of the documents may be obtained by writing the Distribution Branch, Office of Public Records, Federal Trade Commission, 6th and Pennsylvania Avenue, N.W., Washington, D.C. 20580, or by calling (202) 523-3598.

**FOR FURTHER INFORMATION:** Contact FTC/ESL, David F. Lean Washington, D.C. 20580; (202) 634-7332.

Dated:

By direction of the Commission  
Michael A. Baggage,  
*Acting Secretary.*

[FR Doc. 83-10938 Filed 4-21-83; 8:45 am]

BILLING CODE 6750-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. 83F-0096]

#### American Cyanamid Co.; Filing of Food Additive Petition

**AGENCY:** Food and Drug Administration.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that American Cyanamid Co. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of acetone-formaldehyde condensate as a component of adhesives intended for use in contact with food.

**FOR FURTHER INFORMATION CONTACT:** Marvin D. Mack, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, D.C. 20204, 202-472-5740.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act [sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))], notice is given that a petition (FAP 3B3698) has been filed by American Cyanamid Co., One Cyanamid Plaza, Wayne, NJ 07470, proposing that § 175.105 *Adhesives* (21 CFR 175.105) be amended to provide for the safe use of acetone-formaldehyde condensate as a component of adhesives for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the Federal Register in accordance with 21

CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: April 12, 1983.

Sanford A. Miller,

*Director, Bureau of Foods.*

[FR Doc. 83-10564 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 83C-0113]

#### E.M. Industries, Inc.; Filing of Color Additive Petition

**AGENCY:** Food and Drug Administration.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that E.M. Industries, Inc., has filed a color additive petition proposing that the color additive regulations be amended to provide for the safe use of a chlorophyll-copper complex for imparting visible color in polymethylmethacrylate bone cement used in conjunction with orthopedic surgical procedures.

**FOR FURTHER INFORMATION CONTACT:** Carl Larson, National Center for Devices and Radiological Health (HFK-410), Food and Drug Administration, 8757 Georgia Ave., Silver Spring, MD 20910, 301-472-7940.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act [sec. 706(b)(1), 74 Stat. 399-402 as amended (21 U.S.C. 376(b)(1))], notice is given that a petition, CAP 3C0175, has been filed by E.M. Industries, Inc., New York, NY 10532, proposing that the color additive regulations be amended to provide for the safe use of a chlorophyll-copper complex for imparting visible color in polymethylmethacrylate bone cement used in conjunction with orthopedic surgical procedures.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the Federal Register in accordance with 21 CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: April 19, 1983.

Sanford A. Miller,

*Director, Bureau of Foods.*

[FR Doc. 83-19839 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 83F-0097]

**Ironsides Co.; Filing of Food Additive Petition****AGENCY:** Food and Drug Administration.**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that Ironsides Co. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of the following four additives as minor components of surface lubricants used in the manufacture of metallic articles that contact food: benzotriazole; polyoxyethylated (5 moles) tallow amine; sodium petroleum sulfonate, MW 440-450 (CAS Reg. No. 68608-24-4) derived from naphthenic oil having a Saybolt viscosity range of 500-600 SUS at 100° F; and *alpha*-alkyl-*omega*-hydroxypoly(oxyethylene) produced by the condensation of 1 mole of C<sub>12</sub>-C<sub>15</sub> straight chain primary alcohols with an average of 3 moles of ethylene oxide.

**FOR FURTHER INFORMATION CONTACT:** Garnett R. Higginbotham, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 2B3600) has been filed by Ironsides Co., Columbus, OH 43216, proposing that § 178.3910 (21 CFR 178.3910) of the food additive regulations be amended to provide for the safe use of the following four additives as minor components of surface lubricants used in the manufacture of metallic articles that contact food: benzotriazole; polyoxyethylated (5 moles) tallow amine; sodium petroleum sulfonate, MW 440-450 (CAS Reg. No. 68608-24-4) derived from naphthenic oil having a Saybolt viscosity range of 500-600 SUS at 100° F; and *alpha*-alkyl-*omega*-hydroxypoly(oxyethylene) produced by the condensation of 1 mole of C<sub>12</sub>-C<sub>15</sub> straight chain primary alcohols with an average of 3 moles of ethylene oxide.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD

20857, between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 15, 1983.

Sanford A. Miller,  
Director, Bureau of Foods.

[FR Doc. 83-10712 Filed 4-21-83; 8:45 am]

**BILLING CODE 4160-01-M**

**Consumer Participation; Open Meetings****AGENCY:** Food and Drug Administration.**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the following consumer exchange meetings.

Buffalo District Office, chaired by Lois M. Meyer, Consumer Affairs Officer. The topics to be discussed are: Change in Nutrition Label Format, Updates on Sodium Labeling and Education Programs, Quackery and Economic Deceptions, COPE, Tamper-Resistant Packaging, and Aspartame—Low Calorie Sweetener.

**DATE:** Thursday, April 28, 1983, 10:00 a.m.

**ADDRESS:** First Floor Conference Room, Clinton County Government Center, 137 Margaret St., Plattsburgh, NY 12901.

**FOR FURTHER INFORMATION CONTACT:**

Lois M. Meyer, Consumer Affairs Officer, Food and Drug Administration, 599 Delaware Ave., Buffalo, NY 14202, 716-846-4483.

Buffalo District Office, chaired by Robert L. Hart, Supervisory CSO, Albany Resident Post, and Lois M. Meyer, CAO, Buffalo District. The topics to be discussed are: Change in Nutrition Label Format, Updates on Sodium Labeling and Education Programs, Quackery and Economic Deceptions, COPE, Tamper-Resistant Packaging, Use of Sulfites, Regulation of Health Foods, Cambridge Diet, MSG, and Guidelines of In-Store Nutrition Programs.

**DATE:** Friday, April 29, 1983, 10:00 a.m.

**ADDRESS:** Room 38 (lower level), Leo W. O'Brien Federal Building, Clinton and N. Pearl St., Albany, NY 12207.

**FOR FURTHER INFORMATION CONTACT:**

Lois M. Meyer, Consumer Affairs Officer, Food and Drug Administration, 599 Delaware Ave., Buffalo, NY 14202, 716-846-4483.

New York District Office, chaired by George J. Gerstenberg, District Director. The topics to be discussed are: Proposal to Change Nutrition Label Format, Tamper-Resistant Packaging, and Update on Patient Medication Instruction Program (PMI).

**DATE:** Friday, April 29, 1983, 1:30 p.m. to 3:30 p.m.

**ADDRESS:** The Bedford Health Center, 485 Throop Ave., Brooklyn, NY 11221.

**FOR FURTHER INFORMATION CONTACT:**

Marta Buhay, Consumer Affairs Officer, Food and Drug Administration, 850 Third Ave., Brooklyn, NY 11232, 212-965-5043.

**SUPPLEMENTARY INFORMATION:** The purpose of these meetings is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumer and FDA's District Offices, and to contribute to the agency's policymaking decisions on vital issues.

Dated: April 15, 1983.

William F. Randolph,  
Acting Associate Commissioner for  
Regulatory Affairs.

[FR Doc. 83-10560 Filed 4-21-83; 8:45 am]

**BILLING CODE 4160-01-M**

[Docket No. 83F-0089]

**National Starch and Chemical Corp.; Filing of Food Additive Petition****AGENCY:** Food and Drug Administration.**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that National Starch and Chemical Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of the partial sodium salt of a copolymer of dimethyldiallylammonium chloride with acrylamide and acrylic acid as a component of paper and paperboard for use in contact with food.

**FOR FURTHER INFORMATION CONTACT:**

Marvin D. Mack, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5740.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 3B3696) has been filed by National Starch and Chemical Corp., P.O. Box 6500, Bridgewater, NJ 08807, proposing that § 176.170 (21 CFR 176.170) be amended to provide for safe use of the partial sodium salt of a copolymer of dimethyldiallylammonium chloride with acrylamide and acrylic acid as a component of paper and paperboard for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the

notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: April 12, 1983.

Sanford A. Miller,  
Director, Bureau of Foods.

[FR Doc. 83-10566 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 83F-0063]

#### Ohmart Corp.; Filing of Food Additive Petition

**AGENCY:** Food and Drug Administration.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that the Ohmart Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of the isotope Californium-252 as a sealed neutron source for the inspection of food and for controlling food processing.

**FOR FURTHER INFORMATION CONTACT:** Clyde A. Takeguchi, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 3M3706) has been filed by the Ohmart Corp., Cincinnati, OH 45209, proposing that § 179.21 (21 CFR 179.21) be amended to provide for the safe use of the isotope Californium-252 as a sealed neutron source for the inspection of food. The total neutron irradiation dose absorbed by food shall not exceed 200 millirads.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: April 12, 1983.

Sanford A. Miller,  
Director, Bureau of Foods.

[FR Doc. 83-10565 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

[FDA-225-83-0001]

#### Memorandum of Understanding With the University of Arkansas at Pine Bluff

**AGENCY:** Food and Drug Administration

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) has executed a memorandum of understanding with the University of Arkansas at Pine Bluff (UAPB). The purpose of the understanding is to provide the mechanism for a collaborative program between UAPB and FDA's National Center for Toxicological Research (NCTR) to promote advanced study in the biomedical sciences and to further NCTR's research and training goals.

**EFFECTIVE DATE:** The agreement became effective March 23, 1983.

**FOR FURTHER INFORMATION CONTACT:** Walter J. Kustka, Intergovernmental and Industry Affairs Staff (HFC-50), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857; 301-443-1583.

**SUPPLEMENTARY INFORMATION:** In accordance with § 20.108(c) (21 CFR 20.108(c)) stating that all agreements and memoranda of understanding between FDA and others shall be published in the **Federal Register**, the agency is publishing the following memorandum of understanding:

#### Memorandum of Understanding Between the University of Arkansas at Pine Bluff and the Food and Drug Administration National Center for Toxicological Research

##### I. Purpose

This agreement will provide the mechanism for a collaborative program between the University of Arkansas at Pine Bluff (UAPB) and the Food and Drug Administration's National Center for Toxicological Research (NCTR).

##### II. Background

The University of Arkansas at Pine Bluff is a component of the University of Arkansas system with approximately 3,000 students. One of the major objectives of the University is to produce a pool of students who are well prepared and highly motivated to pursue advanced study in the biomedical sciences.

The National Center for Toxicological Research is a Federal Laboratory specializing in biomedical research. A part of NCTR's goal is to assist in training highly qualified toxicologists.

The collaborative program with UAPB provides an opportunity to accomplish this while furthering NCTR's research goals.

##### III. Substance of Agreement

Through this agreement, NCTR will provide facilities, equipment, materials, and limited supervision for outstanding science students who will serve as guest workers at the Center performing collaborative research with NCTR scientists. In addition, NCTR will provide guest worker positions or appointments to do collaborative research for qualified faculty members of UAPB, if spaces are available during summers or periods of sabbatical leave.

NCTR and UAPB will establish a joint guest lecture and seminar program for the benefit of all members of both institutions to promote exchange of information on the latest developments at both institutions. To further accomplish this objective, members of the staffs of NCTR and UAPB will be granted access to the library facilities of both institutions.

##### IV. Name and Address of Participating Parties

A. University of Arkansas at Pine Bluff, 1100 University Drive, Pine Bluff, AR 71601.

B. Food and Drug Administration, National Center for Toxicological Research, Jefferson, AR 72079.

##### V. Liaison Officers

A. For University of Arkansas at Pine Bluff: Chancellor, University of Arkansas at Pine Bluff, (currently Dr. Lloyd V. Hackley); 501-541-4517.

B. For National Center for Toxicological Research: Director, National Center for Toxicological Research, (currently Dr. Ronald W. Hart); 501-541-4517.

##### IV. Period of Agreement

This agreement becomes effective upon acceptance by both parties and will continue indefinitely. It may be modified by mutual consent or terminated by either party upon a 60-day advance written notice to the other.

Dated: March 23, 1983.

Approved and accepted for the University of Arkansas at Pine Bluff,

Lloyd V. Hackley,  
Chancellor.

Dated: March 11, 1983.



Approved and accepted for the Food and Drug Administration,

Joseph P. Hile,

*Associate Commissioner for Regulatory Affairs.*

Effective date. This memorandum of understanding became effective March 23, 1983.

Dated: April 14, 1983.

William F. Randolph,

*Acting Associate Commissioner for Regulatory Affairs.*

[FR Doc. 83-10412 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-01-M

## Health Resources and Services Administration

### Availability of Funds for Community Health Center (CHCs) and Migrant Health Centers (MHCs)

**AGENCY:** Public Health Service, HHS.

**ACTION:** Notice.

**SUMMARY:** The Health Resources and Services Administration (HRSA) announces that applications for supplemental awards are now being accepted from CHCs and MHCs which received fiscal year (FY) 1982 and 1983 operational grant awards under sections 330 and 329 of the Public Health Service (PHS) Act (42 U.S.C. 254c, 254b), respectively. This notice contains information of interest to prospective applicants for such funding.

**DATE:** To receive consideration as being on time, mailed applications must be postmarked on or before June 1, 1983. Hand delivered applications must be received by COB June 1, 1983.

**FOR FURTHER INFORMATION CONTACT:** Information may be obtained from, and applications should be mailed to, the appropriate Regional Health Administrator (see Appendix).

**SUPPLEMENTARY INFORMATION:** On March 24, 1983, the Congress enacted the "Emergency Expenditures to Meet National Needs Act of 1983" (Pub. L. 98-8) which appropriates an additional \$65 million for CHCs and MHCs to expand the availability of essential health care services for the disadvantaged and unemployed. In appropriating these funds, the Congress directed that priority is to be given to applications for supplemental grants from centers based on the extent of unemployment in the area in which a center is located and on whether its service area includes a significant number of unserved or underserved people. Because it is anticipated that large numbers of currently funded CHCs and MHCs in high priority areas are in need of and

will apply for supplemental grants to expand their services under this notice, the Department is not inviting applications from new centers for these funds at this time. However, the Department notes that a separate notice of availability of funds published on March 16, 1983 (48 FR 11169), does invite new and existing CHCs to apply for approximately \$14 million in funds available under the present Continuing Resolution (Pub. L. 97-377).

Of the \$65 million, \$5 million is available specifically for the provision of home health services through CHCs and MHCs. The balance of \$60 million is to be used by CHCs and MHCs to expand the availability of essential health services for the disadvantaged and unemployed. This may be accomplished through the expansion of existing capacities, establishment of satellite clinics, or the provision of services through contracts with other health care providers. Services should be limited to those identified as "primary health services" in sections 329(a)(6) and 330(b)(1) of the PHS Act. Each center may apply up to 20% of any supplemental funds it receives for essential health services, for the purchase (at rates not exceeding those prevailing under the applicable State plan approved under title XIX of the Social Security Act) of inpatient hospital services for delivery and post partum care to pregnant women and infants who have no other source of payment for their care.

Centers currently funded under section 329 or 330 may apply by letter to the appropriate regional office for a supplemental award. The letter should describe the supplemental services proposed to be provided and a justification for such services. Such justification should include data on the unemployment rate in the center's proposed catchment area; a description, including a budget, of how the center plans to serve additional patients; an estimate of the number of new people to be served; a statement describing how funds for inpatient care will be utilized; and, if asking for funds for home health services, the number of home health aides to be hired. In describing how any funds for inpatient care for infants and pregnant women will be utilized, centers should be aware that Pub. L. 98-8 provides \$105 million to States for maternal and child health services. Centers are encouraged to document in their applications any coordination arrangements or attempts to coordinate their services for children and pregnant women with State and local maternal and child health programs. Coordination efforts should include contact with State

and local maternal and child health program directors.

If a center proposes to provide home health services, the center may request funds to train and employ individuals, including paraprofessionals such as homemaker/home health aides, to provide home health services in the center's service area. If the center is a Medicare certified home health agency, the center may directly train and employ individuals. If the center is not a Medicare certified home health agency, the center may enter into a contractual agreement with a Medicare certified home health agency to train and employ individuals.

The Department will approve those requests for funding which best promote the purposes of the legislation. The Congress directed that priority be given to applications for supplemental grants in areas of high unemployment and in areas where there are significant numbers of unserved or underserved individuals. In addition, the Congress directed that the demonstrated administrative, financial and general management capability of applicants be evaluated in awarding these funds. The Department will be taking into consideration a center's performance on the program indicators for MHCs and CHCs as published on March 13, 1979 (44 FR 14640).

While emphasis will be given to the factors described above, all applications will be evaluated in accordance with criteria set forth in the regulations (42 CFR 51c.305 for CHCs and 42 CFR 56.305 for MHCs).

Section 51c.104(b)(5) of the CHC regulations and § 56.104(b)(6) of the MHC regulations require applicants to include letters and other forms of evidence showing efforts to secure financial and professional assistance and support for the project and to secure continuing community involvement. Proposed applicants are advised to seek such evidence of support, from, among others, local officials and medical societies. Evidence that such support was sought will be considered in determining which applicants will be awarded grants under this announcement.

(CHC and MHC programs are listed as No. 13.224 and 13.246 in the OMB Catalog of Federal Domestic Assistance, respectively)

Dated: April 17, 1983.

Robert Graham,

*Administrator, Assistant Surgeon General.*

### Regional Health Administrators

Edward J. Montminy, Regional Health Administrator, PHS—Region I, John F.



Kennedy Federal Building, Boston, Massachusetts 02203, (617) 223-6827

Karst J. Besteman, Regional Health Administrator, PHS—Region II, 26 Federal Plaza, New York, New York 10007, (212) 264-2560

William Lassek, M.D., Regional Health Administrator, PHS—Region III, P.O. Box 13716, Philadelphia, Pennsylvania 19101, (215) 596-6637

George A. Reich, M.D., M.P.H. Regional Health Administrator, PHS—Region IV, 101 Marietta Tower, Suite 1007, Atlanta, Georgia 30323, (404) 221-2316

E. Frank Ellis, M.D., Regional Health Administrator, PHS—Region V, 300 South Wacker Drive, Chicago, Illinois 60606, (312) 353-1385

Sam Bell, Regional Health Administrator, PHS—Region VI, 1200 Main Tower Building, Dallas, Texas 75202, (214) 655-3879

Youn Bock Rhee, Regional Health Administrator, PHS—Region VII, 601 East 12th Street, Kansas City, Missouri 64106, (816) 374-3291

Dean Hungerford, Acting Regional Health Administrator, PHS—Region VIII, 19th and Stout Streets, Denver, Colorado 80294, (303) 837-4461

Sheridan L. Weinstein, M.D., Regional Health Administrator, PHS—Region IX, 50 United Nations Plaza, San Francisco, California 94102, (414) 556-5810

Dorothy H. Mann, Regional Health Administrator, PHS/DHHS Region X, 2901 Third Avenue, Mail Stop 501, Seattle, Washington 98121, (206) 442-0430.

[FR Doc. 83-10713 Filed 4-21-83; 8:45 am]

BILLING CODE 4160-17-M

## Office of Human Development Services

### Additional Federal Allotments to States for Social Services Expenditures Pursuant to the Title XX—Block Grants to States for Social Services

**AGENCY:** Office of Human Development Services, HHS.

**ACTION:** Notice of Allocation of Additional Title XX—Social Services Block Grant Allotments for Fiscal Year 1983 pursuant to Public Law 98-8.

**SUMMARY:** Section 2003 of the Social Security Act, as amended, authorizes \$2.45 billion for allocation to the States for Social Services Block Grants—Fiscal Year 1983.

Public Law 98-8, enacted March 24, 1983, appropriates an additional \$225 million for Fiscal Year 1983. This notice contains State allotments and explanations of how the allotments were

determined; conditions for receipt of these funds and other information.

### FOR FURTHER INFORMATION CONTACT:

HDS Regional Administrators.

Dr. A. Kenton Williams, Regional Administrator, HDS, DHHS, Region I, JFK Building, Room 2000, Boston, MA 02203

Mr. John F. Devine, Regional Administrator, HDS, DHHS, Region II, Federal Building, 26 Federal Plaza, New York, NY 10278

Ms. Eileen Bradley, Regional Administrator, HDS, DHHS, Region III, P. O. Box 13716, 3535 Market Street, Philadelphia, PA 19101

Mr. Edwin Schulz, Regional Administrator, HDS, DHHS, Region IV, 101 Marietta Tower, Suite 903, Atlanta, GA 30323

Ms. Carolyn Woodard, Regional Administrator, HDS, DHHS, Region V, 300 South Wacker, 13th Floor, Chicago, IL 60606

Mr. William Acosta, Regional Administrator, HDS, DHHS, Region VI, 1200 Main Tower Bldg., Dallas, TX 75202

Ms. Linda J. Carson, Regional Administrator, HDS, DHHS, Region VII, 601 E. 12th Street, Room 384, Kansas City, MO 64106

Mr. Lemm Allen, Regional Administrator, HDS, DHHS, Region VIII, Federal Office Bldg., 1961 Stout Street, Room 1194, Denver, CO 80294

Ms. Lucy Ellison, Regional Administrator, HDS, DHHS, Region IX, 50 United Nations Plaza, San Francisco, CA 94102

Mr. Edward Singler, Regional Administrator, HDS, DHHS, Region X, 2903 Third Avenue, Mail Stop 503, Seattle, WA 98121

**SUPPLEMENTARY INFORMATION:** Section 2003 of the Social Security Act, as amended, authorizes \$2.45 billion for allocation to the States for Social Services Block Grants—Fiscal Year 1983. The allocation of this amount was promulgated in Vol. 47, No. 190, page 43189 of the Federal Register on September 30, 1982.

Public Law 98-8 appropriates funds for a variety of programs and projects "to provide for neglected needs of the Nation which results in productive jobs and humanitarian assistance to the indigent and homeless \* \* \*." Under this statute an additional \$225 million has been appropriated for the Social Services Block Grant (SSBG) program for the fifty States, the District of Columbia and Puerto Rico.

The statute provides that for the SSBG program, the funds are to be used "to expand the availability of day care and other social services available to

unemployed and disadvantaged Americans, which also shall include expanded Food and Nutrition Education (Nutrition Aids) \* \* \*." The conference report suggests that States and local communities should give a high priority to day care services.

The statute also provides that no grant from this additional amount will be awarded to a State unless the State offers assurances satisfactory to the Secretary that it will use these funds in addition to rather than in lieu of existing Federal or State funds currently available for these purposes. The assurance need only be a factual statement to this effect.

States should send assurances required by Pub. L. 98-8 directly to the addressee below with a copy of the appropriate Regional Office: Department of Health and Human Services, Office of Human Development Services, 330 Independence Avenue, SW, Room 1296, Washington, DC 20201, Attention: Ms. Bettye J. Mobley.

No grants shall be issued until such assurances are received.

There are no requirements for States to report separately on these supplemental funds. Each State must decide whether it needs to amend its pre-expenditure report to cover expenditure of these supplemental funds. Specifically, if a State determines that its intended use of the supplemental funds is consistent with the use and distribution of funds in its current report, no amendment should be prepared. In general, a State need not amend its FY 1983 pre-expenditure report unless substantial changes are made in its activities.

There are no specific time limits in Pub. L. 98-8 which govern the obligations of funds. The statute and the supporting report, however, make it clear that these funds are to be obligated as rapidly as possible so as to quickly assist the unemployed and the needy as well as minimize future year budgetary outlays.

There are no audit requirements for these supplemental funds in Pub. L. 98-8. Therefore, the funds are subject to the normal audit provisions of the block grant statute.

In general, the transfer provisions of the block grant statute apply to the supplemental funds. Nothing in Pub. L. 98-8 prohibits transfer of these funds. However, language of the bill and the committee reports indicate congressional intent that these funds be used for certain purposes as indicated above. States may transfer funds as under current law provided that the transferred funds meet the special

requirements of Pub. L. 98-8, e.g., to maximize immediate creation of jobs.

Public Law 98-8 provides that the additional \$225 million appropriated be allocated as follows:

1. One-third, \$75.0 million, on the basis of the relative number of unemployed individuals who reside in each State as compared to the total number of unemployed individuals in all of the States;

2. One-sixth, \$37.5 million, among "long-term unemployment States" on the basis of the number of unemployed individuals who reside in each such State as compared to the total number of unemployed individuals in all such States;

3. One-half, \$112.5 million, as provided in Section 2003 of the Social Security Act, as amended.

For the purpose of allocating this additional appropriation, Pub. L. 98-8 provides that the number of unemployed individuals who reside in each State shall be determined by the Bureau of Labor Statistics of the department of Labor for the month of January 1983 and makes the following definitions:

1. "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico;

2. "Long-term unemployment State" means any State in which the average unadjusted unemployment rate from June 1982 through November 1982 was 9.4 percent or higher.

Subsection 2003(a) of the Social Security Act, as amended, provides that each territory will receive as its annual allotment the same proportion of the total funds available for the year as it was allotted for Fiscal Year 1981. Public Law 98-8 includes only Puerto Rico among the territories. Therefore, additional funds have not been allotted to Virgin Islands, Guam and Northern Mariana Islands.

Subsection 2003(b) provides that the balance of the total funds available be allotted among the several States and the District of Columbia on the basis of their relative populations according to the most recent data available from the Department of Commerce. The Title XX allotments for Fiscal Year 1983, promulgated September 30, 1982, were based upon the Bureau of census 1980 Decennial Census.

The allotments promulgated by this issuance are based upon the Bureau of Census 1980 Decennial Census and Unemployment Statistics determined by the Bureau of Labor Statistics of the Department of Labor for the month of January 1983.

Effective date: October 1, 1982.

FISCAL YEAR 1983 ADDITIONAL FEDERAL ALLOTMENTS TO STATES FOR TITLE XX—SOCIAL SERVICES BLOCK GRANTS—PUBLIC LAW 98-8

	% Based upon unemployed individuals in all States	% Based upon unemployed individuals in long-term unemployment States	% Based upon provisions of Section 2003 of the Social Security Act	Total
Alabama.....	\$1,692,032	\$1,393,585	\$1,922,108	\$5,008,725
Alaska.....	149,304	NA	197,647	346,951
Arizona.....	874,092	719,492	1,343,005	2,936,589
Arkansas.....	654,614	538,832	1,129,548	2,322,994
California.....	8,459,700	6,963,432	11,695,215	27,118,327
Colorado.....	881,692	NA	1,427,499	2,309,191
Connecticut.....	774,697	NA	1,535,710	2,310,407
Delaware.....	142,918	NA	294,000	436,918
District of Columbia.....	191,321	157,482	315,246	664,049
Florida.....	2,942,042	NA	4,812,683	7,754,725
Georgia.....	1,269,085	NA	2,699,846	3,968,931
Guam.....	NA	NA	NA	NA
Hawaii.....	151,362	NA	476,822	628,184
Idaho.....	331,307	NA	466,444	797,751
Illinois.....	4,459,679	3,670,895	5,641,808	13,772,382
Indiana.....	2,109,207	1,736,152	2,712,693	6,558,052
Iowa.....	897,801	NA	1,439,358	2,337,159
Kansas.....	531,155	NA	1,167,595	1,698,750
Kentucky.....	1,162,089	956,550	1,808,956	3,927,595
Louisiana.....	1,203,258	990,437	2,077,260	4,270,955
Maine.....	291,401	NA	555,879	847,280
Maryland.....	1,121,758	NA	2,063,190	3,204,948
Massachusetts.....	1,522,357	NA	2,834,739	4,357,096
Michigan.....	4,275,580	3,519,358	4,574,519	12,369,457
Minnesota.....	1,285,901	NA	2,014,508	3,300,409
Mississippi.....	741,948	610,720	1,245,664	2,598,332
Missouri.....	1,421,586	NA	2,429,565	3,851,151
Montana.....	237,411	NA	388,868	626,279
Nebraska.....	363,596	NA	775,761	1,139,357
Nevada.....	352,544	290,189	394,798	1,037,531
New Hampshire.....	243,677	NA	455,080	698,757
New Jersey.....	1,897,045	NA	3,638,665	5,535,710
New Mexico.....	369,573	304,206	642,350	1,316,129
New York.....	4,455,548	NA	8,675,182	13,130,730
North Carolina.....	1,704,007	NA	2,902,434	4,606,441
North Dakota.....	167,170	NA	322,658	489,828
North Mariana Islands.....	NA	NA	NA	NA
Ohio.....	4,356,418	3,585,898	5,334,963	13,277,279
Oklahoma.....	644,016	NA	1,494,699	2,138,715
Oregon.....	1,045,588	860,654	1,301,005	3,207,247
Pennsylvania.....	4,747,038	3,904,430	5,863,666	14,518,134
Puerto Rico.....	1,360,633	1,119,878	581,897	3,062,508
Rhode Island.....	347,658	286,168	467,926	1,101,753
South Carolina.....	1,009,765	831,168	1,541,146	3,382,079
South Dakota.....	142,192	NA	340,940	483,132
Tennessee.....	1,701,177	1,400,778	2,268,484	5,371,032
Texas.....	3,810,022	NA	7,030,272	10,840,294
Utah.....	381,433	NA	721,902	1,103,335
Vermont.....	123,010	NA	252,494	375,504
Virgin Islands.....	NA	NA	NA	NA
Virginia.....	1,415,396	NA	2,641,540	4,056,936
Washington.....	1,599,472	1,316,573	2,040,696	4,956,741
West Virginia.....	929,110	764,778	963,525	2,657,413
Wisconsin.....	1,913,726	1,575,245	2,324,812	5,813,783
Wyoming.....	143,296	NA	232,729	376,025
Totals.....	75,000,000	37,500,000	112,500,000	225,000,000

Dated: April 19, 1983.

David A. Rust,  
Director, Office of Policy Coordination and Review.

Approved: April 19, 1983.

Dorcas R. Hardy,  
Assistant Secretary for Human Development Services.

[FR Doc. 83-10809 Filed 4-21-83; 8:45 am]

BILLING CODE 4131-01-M

#### Office of the Secretary

#### Agency Forms Submitted to the Office of Management and Budget for Clearance

Each Friday the Department of Health and Human Services (HHS) publishes a list of information collection packages it

has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). The following are those packages submitted to OMB since the last list was published on April 15.

**Public Health Service***National Institutes of Health*

**Subject:** Evaluation of the Impact of the Coronary Primary Prevention Trial and Multiple Risk Factor Intervention Trial (0925-0180)—Extension/no change

**Respondents:** Physicians  
**OMB Desk Officer:** Fay S. Iudicello

*Office of the Assistant Secretary for Health*

**Subject:** National Health Interview Survey (1983 Questionnaire) (0937-0021)—Revision

**Respondents:** Individuals and households

**Subject:** Evaluation of the Data Provided for the National Vital Statistics Program—Preliminary plan

**Respondents:** State vital registration and statistics executives, State health officers, users of vital statistics data

**Subject:** Pretest of the 1984 Nursing Home Survey—New

**Respondents:** Nursing homes, their residents, registered nursing staff, and family members of the residents  
**OMB Desk Officer:** Fay S. Iudicello

*Centers for Disease Control*

**Subject:** Request for Health Hazard Evaluations (0920-0102)—Extension/no change

**Respondents:** Employees, employers or employee representatives in general industry and mining

**OMB Desk Officer:** Fay S. Iudicello

*Health Resources and Services Administration*

**Subject:** Analysis of the Current Level of Resources Used in Geriatric Dental Education—New

**Respondents:** Dental schools  
**OMB Desk Officer:** Fay S. Iudicello

**Office of the Secretary**

**Subject:** 1983 Survey of Consumer Finances/Pension Provider Follow-up—New

**Respondents:** Pension providers of household respondents in the 1988 Survey of Consumer Finances  
**OMB Desk Officer:** Milo Sunderhauf

Copies of the above information collection clearance packages can be obtained by calling the HHS Reports Clearance Officer on 202-245-6511.

Written comments and recommendations for the proposed information collections should be sent directly to both the HHS Reports Clearance Officer and the appropriate OMB Desk Officer designated above at the following addresses:

Joseph F. Costa, Acting HHS Reports Clearance Officer, Hubert H.

Humphrey Building, Room 524-F,  
 Washington, D.C. 20201  
 OMB Reports Management Branch, New  
 Executive Office Building, Room 3208,  
 Washington, D.C. 20503, Attn: (name  
 of OMB Desk Officer)

Dated: April 15, 1983.

**Dale W. Sopper,**  
*Assistant Secretary for Management and Budget.*

[FR Doc. 83-10743 Filed 4-21-83; 8:45 am]

**BILLING CODE 4150-04-M**

**Assistant Secretary for Health;  
Delegation of Authority**

Notice is hereby given that on March 31, 1983 the Secretary of Health and Human Services delegated to the Assistant Secretary for Health, with authority to redelegate, the authority vested in the Secretary under Section 1876 of the Social Security Act (42 U.S.C. 1395mm), as amended, to determine whether an entity is an "eligible organization" within the meaning of section 1876(b).

The May 1, 1978, delegation of authority to the Assistant Secretary for Health under the former section 1876(b)(2)(A) of the Social Security Act was superseded.

Dated: April 14, 1983.

**Dale W. Sopper,**  
*Assistant Secretary for Management and Budget/OS.*

[FR Doc. 83-10741 Filed 4-21-83; 8:45 am]

**BILLING CODE 4160-16-M**

**Director, Office for Civil Rights;  
Delegation of Authority**

Notice is hereby given that on March 31, 1983, the Secretary of Health and Human Services delegated to the Director, Office for Civil Rights, authority vested in the Secretary by section 304(a)(4) of the Age Discrimination Act of 1975, as amended, (42 U.S.C. 6103(a)(4)) to approve regulations of Federal departments and agencies issued pursuant to the Act. The Director may not redelegate this authority.

Dated: April 14, 1983.

**Dale W. Sopper,**  
*Assistant Secretary for Management and Budget.*

[FR Doc. 83-10742 Filed 4-21-83; 8:45 am]

**BILLING CODE 4150-04-M**

**DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT****Office of Assistant Secretary for  
Housing—Federal Housing  
Commissioner**

[Docket No. N-83-1228]

**Section 202 Loans for Housing for  
Elderly or Handicapped;  
Announcement of Fund Availability  
Fiscal Year 1983**

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Notice of fund availability.

**SUMMARY:** HUD is announcing the availability of Fiscal Year 1983 loan authority under the Section 202 Housing for the Elderly or Handicapped Direct Loan Program. The loan authority will be used to provide direct Federal loans for a maximum term of 40 years under Section 202 of the Housing Act of 1959, as amended, to assist private, nonprofit corporations and consumer cooperatives in the development of housing and related facilities to serve the elderly or handicapped.

**EFFECTIVE DATE:** April 22, 1983.

**FOR FURTHER INFORMATION CONTACT:** The HUD Field Office for your jurisdiction.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to Title 24, Code of Federal Regulations, Part 885, as amended, that the Department of Housing and Urban Development will be accepting Applications for Fund Reservations from eligible Borrowers (see § 885.5 for the definition of "Borrower" and other terms used herein) for the provision of direct loans for the construction or substantial rehabilitation of Housing and Related Facilities (as defined) for dwelling use by Elderly or Handicapped Families (as defined) under the provisions of Section 202 of the Housing Act of 1959, as amended. Applications may also be accepted for loans for the acquisition with or without moderate rehabilitation of housing and related facilities for use as group homes for the nonelderly handicapped.

The Assistant Secretary for Housing is assigning Section 202 loan fund authority for Fiscal Year 1983 to the HUD Field Offices based on a determination that the fair share distribution pursuant to the formula specified in Section 213(d) of the Housing and Community Development Act of 1974, as amended, is the most equitable means of distributing these funds, even though Section 213(d) is not

applicable to funds available for obligation during Fiscal Year 1983.

While the precise number of units to be funded depends upon actual approvable applications received, the following distribution plan shows the approximate numbers of units and loan authority available for new applications in each Field Office jurisdiction identified below for Fiscal Year 1983.

**FISCAL YEAR 1983 SECTION 202 DISTRIBUTION  
PLAN BY HUD FIELD OFFICE JURISDICTION**

	Estimated number of units	Estimated loan authority *
<b>Boston Regional Office:</b>		
Boston AO.....	294	\$15,607,000
Manchester SO (Maine, New Hampshire, Vermont).....	127	5,037,000
Providence SO.....	59	2,402,000
Hartford AO.....	144	6,581,000
<b>Total.....</b>	<b>624</b>	<b>29,607,000</b>
<b>New York Regional Office:</b>		
Buffalo AO (Albany).....	253	\$9,901,000
Caribbean AO.....	168	6,505,000
Newark AO (Camden).....	347	17,342,000
New York AO.....	619	35,770,000
<b>Total.....</b>	<b>1387</b>	<b>69,518,000</b>
<b>Philadelphia Regional Office:</b>		
Baltimore AO.....	123	\$5,503,000
Philadelphia AO (Delaware).....	391	18,099,000
Pittsburgh AO.....	217	9,153,000
Charleston SO.....	86	3,613,000
Richmond AO.....	193	6,500,000
Washington, D.C. AO (Portions of Maryland and Virginia).....	84	3,789,000
<b>Total.....</b>	<b>1094</b>	<b>46,657,000</b>
<b>Atlanta Regional Office:</b>		
Atlanta AO.....	222	\$8,811,000
Birmingham AO.....	217	7,718,000
Columbia AO.....	192	5,949,000
Greensboro AO.....	321	9,850,000
Jackson AO.....	143	5,062,000
Jacksonville AO (Coral Gables, Tampa).....	703	28,339,000
Knoxville AO.....	104	3,571,000
Nashville SO (Memphis).....	140	4,715,000
Louisville AO.....	174	7,034,000
<b>Total.....</b>	<b>2216</b>	<b>81,049,000</b>
<b>Chicago Regional Office:</b>		
Chicago AO (Springfield).....	477	\$21,810,000
Columbus AO.....	121	4,348,000
Cleveland SO.....	270	10,242,000
Cincinnati SO.....	80	3,498,000
Detroit AO.....	255	9,437,000
Grand Rapids SO.....	147	5,003,000
Indianapolis AO.....	213	8,227,000
Milwaukee AO.....	211	8,104,000
Minn-St. Paul AO.....	185	6,443,000
<b>Total.....</b>	<b>1969</b>	<b>77,112,000</b>
<b>Dallas Regional Office:</b>		
Dallas AO (Albuquerque, Fort Worth, Lubbock).....	343	\$11,902,000
Little Rock AO.....	183	5,224,000
New Orleans AO (Shreveport).....	173	7,381,000
Oklahoma City AO (Tulsa).....	146	5,308,000
Houston SO.....	176	5,266,000
San Antonio AO.....	165	5,330,000
<b>Total.....</b>	<b>1186</b>	<b>40,411,000</b>
<b>Kansas City Regional Office:</b>		
Kansas City AO (Topeka).....	229	\$7,457,000
Omaha AO.....	76	2,513,000
Des Moines SO.....	148	4,734,000
St. Louis AO.....	139	5,715,000
<b>Total.....</b>	<b>592</b>	<b>20,419,000</b>
<b>Denver Regional Office:</b>		
Denver (Helena, MT, Fargo, ND, Sioux Falls, SD, Salt Lake City, UT, Casper, WY).....	255	\$9,277,000
<b>Total.....</b>	<b>255</b>	<b>9,277,000</b>
<b>San Francisco Regional Office:</b>		
Honolulu AO (Guam).....	30	\$1,369,000

**FISCAL YEAR 1983 SECTION 202 DISTRIBUTION  
PLAN BY HUD FIELD OFFICE JURISDICTION—  
Continued**

	Estimated number of units	Estimated loan authority *
Los Angeles AO (San Diego, Santa Ana).....	485	26,680,000
Phoenix SO.....	121	4,769,000
San Francisco AO (Fresno, Reno, Las Vegas).....	264	13,657,000
Sacramento SO.....	92	3,354,000
<b>Total.....</b>	<b>962</b>	<b>49,829,000</b>
<b>Seattle Regional Office:</b>		
Anchorage AO.....	11	\$500,000
Portland AO.....	124	4,388,300
Seattle AO (Spokane).....	136	5,455,700
<b>Total.....</b>	<b>271</b>	<b>10,324,000</b>

\* The estimated loan authority is subject to further breakdown into "metropolitan" and "nonmetropolitan" areas.

The distribution plan set forth above is provided as a guide for prospective Borrowers. It indicates the estimated loan authority that can be expected to be made available for applications for units in each HUD Field Office jurisdiction. However, these unit and loan estimates are subject to change upon Regional and/or Field Office determinations. Such changes may be necessary in order to assure that there is enough loan authority in each Field Office to support housing projects of feasible size. Each HUD Field Office receiving Fiscal Year 1983 loan authority will prepare and publish a single Invitation for Applications for Section 202 Fund Reservation (Invitation) for its jurisdiction which indicates the amount of such authority and the maximum number of units this amount is expected to assist. Further, and in order to provide an equitable geographic distribution of the limited Section 202 units throughout a Field Office jurisdiction, Field Offices may establish a maximum number of units that may be requested under any one application. This unit limitation will vary for each Field Office depending on the number of units available for either the metropolitan or nonmetropolitan category of funds. The maximum unit limitation will be sufficient to support a housing project of a feasible size.

**Priority Categories for Selection**

Prospective Borrowers interested in applying should be aware of the policies and procedures governing priority categories for selection. The purpose of the priority system for the Section 202 program is to assure that applications from localities which are relatively underfunded receive priority consideration and are treated in an equitable manner. In view of the limited funds for projects in Fiscal Year 1983 and in order to assure open competition,

Field Offices will no longer suballocate funds within the Field Office jurisdiction. However, the Assistant Secretary for Housing has determined that the Section 213(d) requirement for 20-25 percent of funds to be used in "nonmetropolitan" areas is the most practical way to meet rural housing needs, even though Section 213(d) is not applicable to funds available for obligation during fiscal 1983. Field Office Invitations will identify the total number of units available for metropolitan and/or nonmetropolitan areas of its jurisdiction. Therefore, all applications received in metropolitan areas would compete against each other and all applications received in nonmetropolitan areas also would compete against each other. The Department intends, however, to exercise greater flexibility during fiscal 1983 in transferring unused funds from one field office to another at the time of end-of-year selection determinations—without regard to the state redistribution requirements under Section 213. In those instances where a Field Office jurisdiction covers more than one state, separate metropolitan and/or nonmetropolitan allocation areas may be established to the extent practicable for each state's part of the jurisdiction. In view of this revised procedure, there will be no nondesignated allocation areas in Fiscal Year 1983.

Accordingly, approvable applications will be ranked in order of the following priority categories:

**Category A:** Applications for projects for the elderly and nonelderly handicapped from localities whose funding needs have previously been underfunded relative to the funding needs of other localities.

**Category B:** Applications for projects for the elderly and nonelderly handicapped from localities whose funding needs have not previously been underfunded relative to the funding needs of other localities.

As mentioned above, interested Section 202 Borrowers will be notified of the total number of units available to metropolitan and nonmetropolitan areas by an Invitation prepared and advertised by the HUD Field Offices.

**Schedule for Section 202 Invitations,  
Workshops and Application Deadline**

All applications for Section 202 Fund Reservations submitted by eligible Borrowers must be filed with the appropriate HUD Field Office and must contain all exhibits and additional information as required by § 885.210 of the Regulations. In accordance with the

Paperwork Reduction Act of 1980 (Pub. L. 96-511), the information collection requirements that are included in the Section 202 application requirements referred to in this Notice have been approved by the Office of Management and Budget (OMB) and have been assigned OMB control number 2502-0267.

HUD Field Offices will publish one Invitation in newspapers of general circulation and in minority newspapers where available serving the Field Office jurisdiction. Field Offices will accept applications anytime after publication of the Invitation, but no application will be accepted after the regular closing time of the appropriate Field Office on Thursday, June 23, 1983, unless said final date for submission of applications is extended by the Assistant Secretary for Housing by publication of an extension notice in the **Federal Register**. Applications which are mailed may be accepted provided they bear a postmark date and time which is no later than the regular closing time of the Field Office on June 23, 1983.

Borrowers interested in applying for a Fund Reservation under section 202 are encouraged to provide the appropriate Field Office with the name, address and telephone number of the Sponsor and/or Borrower organization(s), to advise the Field Office whether they wish to attend the workshop described in the following paragraph, and to secure the program handbook and Application Package. Minority organizations are encouraged to participate in this program as Sponsors and/or Borrowers.

Workshops will be conducted by Field Offices during the months of April and May 1983 to explain the Regulations and instructions governing the Section 202 and Section 106(b) Seed Money loan programs, to distribute Application Packages, and to discuss the application procedures, including the Department's modest design and cost containment requirements and required exhibits. It is highly recommended that prospective Borrowers interested in submitting applications attend the local Field Office workshop. Appropriate Field Office personnel will be in attendance to explain the required exhibits their respective disciplines will be reviewing. In addition, the local Field Office will be better able to address local concerns such as local market conditions, building codes, zoning and housing costs for their particular jurisdiction. More detailed information covering the time and place of the particular workshops will be indicated in the Field Office Invitation. Arrangements will be made by the Field Office, if necessary, to

assure that any interested handicapped persons are able to attend and participate in the workshop. Such persons should contact the Field Office, so that appropriate arrangements can be made.

#### Additional Information

Pursuant to § 885.205(a)(4) of the Regulations, this is to serve further notice that:

(1) In keeping with the Department's efforts to contain costs, the Section 202 Application for a Section 202 Fund Reservation has been expanded to include additional submission, design and cost containment requirements to be used in evaluating Fiscal Year 1983 Section 202 Applications. These requirements are set forth in HUD Notice H 83-9, Revised Submission Requirements, Standard Ranking Criteria and Selection Procedures for the Fiscal Year 1983 Section 202 Program-Application for Fund Reservation, dated March 18, 1983 and will be included in the Section 202 Application Package available at the local HUD Field Office the Section 202 workshops to be conducted by HUD Field Offices will include discussions of these and other additional application requirements. Since modest design and cost containment objectives are a significant factor in the ranking process, applicants are encouraged to attend the HUD workshops.

(2) Notice is hereby given that applications submitted this fiscal year will be developed in accordance with the Section 202 Regulatory amendment to Implement Cost Savings Procedures, published in the **Federal Register** on March 18, 1983. The Department anticipates that the Section 202 Regulatory Amendment will become effective on May 2, 1983, well before any funding reservations are distributed among successful borrowers. Accordingly, Borrowers selected for Section 202 Fund Reservation in Fiscal Year 1983 will be required to develop the project in accordance with the revised Section 202 cost limits and the Borrower will be required to competitively bid the construction contract except in certain specified instances.

(3) Religious bodies may serve as Sponsors of Section 202 projects, but the Borrower corporation must be a separate legal entity in order to comply with Constitutional requirements for separation of Church and State. No religious purpose may be included in the Articles of Incorporation or By-laws, etc., of the Borrower corporation. (The mere recital in a Borrower's Articles of Incorporation that it is organized

exclusively for religious, charitable, scientific, literary or educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code will not by itself make a Borrower ineligible.)

(4) Beginning this fiscal year, Section 202 Borrowers will not be permitted to engage, except for natural persons, in any other business or activity, including the operation of any other rental project, or incur any liability or obligation not in connection with the proposed project. The intent of this new requirement is that no obligee exists other than HUD that has claim to the assets of the Borrower corporation under the Regulatory Agreement. Accordingly, prospective applicants are now required to establish a single purpose Borrower corporation which is capitalized by a Sponsor in a sufficient amount to permit the Borrower's acceptability from a financial standpoint.

Sponsors who have previously established separate Borrower corporations for the sole purpose of applying for a Section 202 Fund Reservation and who were not previously selected would not have to establish a new corporation. Our outstanding requirement with regard to evidence of IRS tax exemption under Section 501(c)(3) or (4) is not altered by this new requirement. Borrower corporations must still evidence incorporation and tax exemption or filing for tax exemption under outstanding guidelines prior to the deadline for application receipt.

(5) The Sponsor must have a current exemption ruling from the Internal Revenue Service, and where the Sponsor and Borrower are not the same, the Borrower corporation must have applied for an exemption ruling from the Internal Revenue Service and show evidence of same by the time it submits its application to HUD (i.e., by the deadline date of June 23, 1983).

(6) Applications may be submitted only by eligible Borrowers. The Borrower must be an eligible corporation as defined in Section 885.5 of the Section 202 Regulations and must have been legally incorporated consistent with the requirement of Item (4) above at the time its Application is filed with the appropriate HUD Field Office.

(7) Projects designed exclusively for the chronically mentally ill are eligible under the same conditions and criteria as other projects designed solely for the nonelderly handicapped, except that only group homes for up to 15 persons and independent living complexes to

serve up to 20 persons may be proposed for the chronically mentally ill.

Applicants applying for housing for the chronically mentally ill will be required to complete a Service Program Description, describing how their proposed projects will be linked to supportive services needed to maintain chronically mentally ill persons in the community. As funds for such services cannot be recognized in HUD's loan processing, evidence of funding sources for such services must be provided with assurances that such funds will be secured by the time the project is ready for occupancy.

To assist HUD in its evaluation of the applicant's capabilities with regard to supportive services for the residents of group homes or independent living complexes, a representative from the State Mental Health Authority (SMHA) will be invited by HUD to evaluate and make recommendations concerning the responses to the Service Program Description. To this end, prospective applicants will be required to submit a copy of the Application to the SMHA. The HUD Field Office will advise prospective applicants of further details in this regard. As the review and evaluation is at the option of the State Mental Health Authority, for those States that do not wish to participate in the evaluation, HUD will conduct its own independent review and a copy of the Application would not have to be transmitted to the SMHA.

(8) Outstanding program instructions pertaining to unit limits for housing for the nonelderly handicapped (other than the chronically mentally ill) permit group homes to serve up to 15 persons on one site, and independent living complexes to include up to 40 units on one site. Although up to 40 units are permitted, applicants should be aware that independent living complexes comprised of two or more bedroom units are limited to families and may not be developed to serve large numbers of single, unrelated persons. Also, in an independent living complex, no more than 40 individuals or families may occupy units on any one site, regardless of the unit configuration.

(9) Pursuant to § 885.215 of the Regulations, no single Borrower may submit an Application or Applications in any HUD Region in excess of that necessary to finance the construction or substantial rehabilitation of three hundred (300) units of Housing and Related Facilities. Further, there is an administrative requirement which indicates that reservations for projects intended primarily for the elderly generally will not be approved for more than 200 units. The 200-unit limitation

includes the number of units of housing for the elderly already on or adjacent to the site, as well as the number of units being requested. This policy is intended to expand the number of areas in the community where the elderly can live in housing specifically designed to meet their needs. This rule is not intended to rule out housing for the elderly in submarket areas of major cities where housing for the elderly, either privately or publicly financed, is already in existence, but to discourage additional housing for the elderly *adjacent* to existing privately or publicly financed facilities where the new units would result in a concentration of over 200 units. This requirement may be waived by the Field Office Manager where, in a given area or locality, there are no other suitable sites available for housing for the elderly.

(10) To be considered responsive to the Invitation, among other requirements, an Application must not request a larger number of units than advertised for the respective metropolitan and/or nonmetropolitan areas designated in the Invitation and must not exceed the maximum number of units per Application as may be established by the local Field Office.

(11) HUD will make contract authority under Section 8 of the United States Housing Act of 1937, as amended, available for successful Borrowers.

(12) Section 202 Fund Reservations will be distributed among successful Borrowers in accordance with the requirements of § 885.220 (Review of Application for Fund Reservation) and on the basis of all of the information furnished by the Borrowers as set forth in the Application Package as modified by HUD Notice H 83-9, Revised Submission Requirements, Standard Ranking Criteria and Selection Procedures for the Fiscal Year 1983 Section 202 Program-Application for Fund Reservation, dated March 18, 1983 and pursuant to § 885.225 (Approval of Applications) of the Regulations.

(13) Applicants who submitted Applications that were not funded due to insufficient Fiscal Year 1982 Section 202 loan authority will have to reapply under this year's Field Office Invitations.

(14) Section 885.410(j) of the Regulations contains a minimum capital investment requirement for Section 202 Borrowers. This requirement applies to all Section 202 Borrowers receiving HUD Field Office approval of an Application for a Section 202 Fund Reservation (under the provisions of § 885.400 et seq.). Said minimum capital investment which is presently established at one-half of 1 percent (0.5%) of the total HUD-

approved mortgage amount, not to exceed \$10,000 shall apply to all Section 202 projects receiving Fund Reservations in Fiscal Year 1983. Section 106(b) funds, pursuant to Part 271, may not be used to satisfy the minimum investment requirement.

Borrowers are invited to submit applications for Section 202 Fund Reservations in accordance with this Announcement and Part 885. Additional information regarding the Section 202 program may be found in Part 885.

(The Catalog of Federal Domestic Assistance Program title and number is Housing for the Elderly or Handicapped, 14.157)

Authority: (Section 202, Housing Act of 1950 (12 U.S.C. 1701q), as amended; Section 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)))

Dated: April 19, 1983.

Philip Abrams,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 83-10897 Filed 4-01-83; 8:45 am]

BILLING CODE 4210-27-M

## Office of the Secretary

[Docket No. N-83-1229]

### Submission of Proposed Information Collections to OMB

AGENCY: Office of Administration, HUD.

ACTION: Notice.

**SUMMARY:** The proposed information collection requirements described below have been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposals.

**ADDRESS:** Interested persons are invited to submit comments regarding these proposals. Comments should refer to the proposal by name and should be sent to: Robert Neal, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:** David S. Cristy, Acting Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410, telephone (202) 755-5310. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** The Department has submitted the proposals described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the



information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) Whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Acting Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposals should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirements are described as follows:

#### Notice of Submission of Proposed Information Collection to OMB

Proposal: Application for Approval as Direct Endorsement Mortgagee/Underwriter Certification  
Office: Housing  
Form number: HUD-54112 and HUD-54113

Frequency of submission: On Occasion  
Affected public: Businesses or Other Institutions (except farms)

Estimated burden hours: 131,250

Status: New

Contact: Robert J. Englestad, HUD, (202) 426-0070; Robert Neal, OMB, (202) 395-7316.

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: April 8, 1983.

Proposal: Application for Transfer of Physical Assets

Office: Housing

Form number: HUD-92268

Frequency of submission: On Occasion  
Affected public: Businesses or Other Institutions (except farms)

Estimated burden hours: 27,000

Status: New

Contact: June Foote, HUD, (202) 755-5547; Robert Neal, OMB, (202) 395-7316.

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: April 8, 1983.

Judith L. Tardy,

*Assistant Secretary for Administration.*

[FR Doc. 83-10699 Filed 4-21-83; 8:45 am]

BILLING CODE 4210-01-M

[Docket No. N-83-1230]

#### Submission of Proposed Information Collections to OMB

AGENCY: Office of Administration, HUD.

ACTION: Notice.

**SUMMARY:** The proposed information collection requirements described below have been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposals.

**ADDRESS:** Interested persons are invited to submit comments regarding these proposals. Comments should refer to the proposal by name and should be sent to: Robert Neal, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:** David S. Cristy, Acting Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410, telephone (202) 755-5310. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** The Department has submitted the proposals described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Acting Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposals

should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirements are described as follows:

#### Notice of Submission of Proposed Information Collection To OMB

Proposal: Claim for Payment of HUD Security Deposit Guarantee and Compensation for Vacancy Loss

Office: Housing

Form Number: HUD-52676

Frequency of Submission: Monthly

Affected Public: Individuals or

Households

Estimated Burden Hours: 350,000

Status: Extension

Contact: Myra Newbill, HUD, (202) 755-6596, Robert Neal, OMB, (202) 395-7316

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: April 11, 1983.

#### Notice of Submission of Proposed Information Collection To OMB

Proposal: Hospital—Section 242 Contractor's Requisition

Office: Housing

Form Number: FHA-2448 (Hosp)

Frequency of Submission: Monthly

Affected Public: Businesses or Other Institutions (except farms)

Estimated Burden Hours: 252

Status: Extension

Contact: Charles P. Storrs, HUD, (202) 426-8730, Robert Neal, OMB, (202) 395-7316

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: April 11, 1983.

Judith L. Tardy,

*Assistant Secretary for Administration.*

[FR Doc. 83-10700 Filed 4-21-83; 8:45 am]

BILLING CODE 4210-01-M

[Docket No. N-83-1231]

#### Submission of Proposed Information Collection to OMB

AGENCY: Office of Administration, HUD.

ACTION: Notice.

**SUMMARY:** The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

**ADDRESS:** Interested persons are invited to submit comments regarding this



proposal. Comments should refer to the proposal by name and should be sent to: Robert Neal, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:**

David S. Cristy, Acting Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410, telephone (202) 755-5310. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** The Department has submitted the proposal described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Acting Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposal should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirement is described as follows:

**Notice of Submission of Proposed Information Collection to OMB**

Proposal: Request for Acceptance of Changes in Approved Drawings and Specifications

Office: Housing

Form Number: HUD-92577

Frequency of submission: On Occasion

Affected public: Businesses or Other Institutions (except farms)

Estimated burden hours: 5,000

Status: Extension

Contact: A. S. Stephens, HUD, (202) 755-6700; Robert Neal, OMB, (202) 395-7316

**Authority:** Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: April 11, 1983

Judith L. Tardy,

*Assistant Secretary for Administration.*

[FR Doc. 83-10702 Filed 4-21-83; 8:45 am]

**BILLING CODE 4210-01-M**

**[Docket No. N-83-1232]**

**Submission of Proposed Information Collection to OMB**

**AGENCY:** Office of Administration, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

**ADDRESS:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and should be sent to: Robert Neal, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:**

David S. Cristy, Acting Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410, telephone (202) 755-5310. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** The Department has submitted the proposal described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Acting Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposal

should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirement is described as follows:

**Notice of Submission of Proposed Information Collection to OMB**

Proposal: Notice of Termination, Suspension, or Reinstatement of Assistance Payment Contract

Office: Housing

Form number: HUD-93114

Frequency of submission: On Occasion

Affected public: Businesses or Other Institutions (except farms)

Estimated burden hours: 15,000

Status: Revision

Contact: Richard B. Buchheit, HUD, (202) 755-6672; Robert Neal, OMB (202) 395-7316

**Authority:** Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: March 21, 1983.

Judith L. Tardy,

*Assistant Secretary for Administration*

[FR Doc. 83-10701 Filed 4-21-83; 8:45 am]

**BILLING CODE 4210-01-M**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**[M 57980 and M 57980-A]**

**Montana; Classification of Public Lands for State Indemnity Selection**

April 15, 1983.

1. The Montana Commissioner, Department of State Lands, has filed a petition for classification and application to acquire the public lands described in paragraph 5 below, under the provisions of Sections 2275 and 2276 of the Revised Statutes, as amended (43 U.S.C. 851, 852 (1976)), in lieu of certain school lands granted to the State under the Act of February 22, 1889, 25 Stat. 676, that were encumbered by other rights or reservations before the State's title could attach. The application has been assigned serial numbers M 57980 and M57980-A.

2. The Bureau of Land Management will examine these lands for evidence of prior valid rights or other statutory constraints that would bar transfer. Those lands found suitable for transfer will be held to be classified on June 27, 1983. Classification is pursuant to Title 43 Code of Federal Regulations, Subpart 2400 and Section 7 of the Act of June 28, 1934.

3. Information concerning these lands and the proposed transfer to the State of Montana may be obtained from the

District Manager, Miles City District Office, Bureau of Land Management, P.O. Box 940, Miles City, Montana 59301, (406) 232-4331, or the District Manager, Lewistown District Office, Bureau of Land Management, Airport Road, Lewistown, Montana 59457, (406) 538-7461.

4. For a period of 60 days from the date of publication of this notice in the **Federal Register**, all persons who wish to submit comments or objections on the above classification may present their views in writing to the State Director, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107. Any adverse comments will be evaluated by the State Director who will issue a notice of determination to proceed with, modify, or cancel the action. In the absence of any action by the State Director, this classification action will become the final determination of the Department of the Interior. As provided by Title 43 Code of Federal Regulations, Subpart 2462.1, a public hearing will be scheduled by the State Director if he determines that sufficient public interest exists to warrant the time and expense of a hearing.

5. The lands included in this classification are located in Blaine, Valley, Phillips, Prairie, Custer, and Fallon counties, Montana, and are described as follows: (footnotes correspond to numbered authorized users or applicants listed in Paragraph 6).

#### Application M 57980-A

##### Principal Meridian

- T. 33 N., R. 17 E.,  
Sec. 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ; 1, 32, 52, 58  
Sec. 14, E $\frac{1}{2}$ SE $\frac{1}{4}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ ; and 2, 52, 58  
Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$ ; 1, 32, 52, 58, 59  
T. 37 N., R. 20 E.,  
Sec. 18, E $\frac{1}{2}$ ; and 3, 33, 53, 90  
Sec. 19, NE $\frac{1}{4}$ ; 4, 53, 90  
T. 33 N., R. 23 E.,  
Sec. 6, lots 6 and 7, E $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ; 5, 6, 7, 8, 54, 91  
T. 34 N., R. 24 E.,  
Sec. 12, E $\frac{1}{2}$ , less 1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 9, 34, 53, 92  
T. 35 N., R. 24 E.,  
Sec. 26, W $\frac{1}{2}$ ; and 10, 56, 93  
Sec. 35, N $\frac{1}{2}$ ; 10, 56, 93  
T. 34 N., R. 25 E.,  
Sec. 7, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ; 11, 57, 94  
T. 35 N., R. 25 E.,  
Sec. 31, all; 12, 34, 58, 95  
Sec. 34, SE $\frac{1}{4}$ ; and 12, 59  
Sec. 35, E $\frac{1}{2}$  and SW $\frac{1}{4}$ ; 12, 58, 96  
T. 32 N., R. 26 E.,  
Sec. 20, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ; 60, 97  
Sec. 21, S $\frac{1}{2}$ SW $\frac{1}{4}$ ; 60  
Sec. 28, NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ ; and 60, 97  
Sec. 29, NE $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ ; 60, 98

- T. 37 N., R. 32 E.,  
Sec. 3, lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ; 13, 36, 61, 99  
Sec. 4, all; 13, 36, 37, 39, 61, 100  
Sec. 5, all; 13, 37, 38, 61, 101  
Sec. 6, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ ; 13, 62, 102  
Sec. 7, all; 13, 14, 36, 62, 103  
Sec. 8, all; 13, 36, 38, 62, 104  
Sec. 9, all; 13, 36, 37, 62, 105  
Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ; 13, 37, 63, 106  
Sec. 14, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ; 13, 36, 63, 107  
Sec. 15, all, less 1 acre M&B; 13, 36, 37, 63, 108  
Sec. 17, E $\frac{1}{2}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$ ; 13, 36, 64, 109  
Sec. 18, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; 13, 64, 109  
Sec. 19, S $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ ; 13, 64, 109  
Sec. 20, all; 15, 36, 64, 110  
Sec. 21, N $\frac{1}{2}$ ; and 13, 36, 65, 111  
Sec. 23, NW $\frac{1}{4}$ ; 13, 37, 63, 112  
T. 32 N., R. 37 E.,  
Sec. 30, lots 3 and 4, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ ; and 15, 17, 40, 66  
Sec. 33, W $\frac{1}{2}$ ; 15, 67, 113  
T. 30 N., R. 38 E.,  
Sec. 23, S $\frac{1}{2}$ ; 40, 41, 42, 43, 68, 114  
Sec. 26, W $\frac{1}{2}$ ; 19, 42, 43, 68  
Sec. 34, E $\frac{1}{2}$ SE $\frac{1}{4}$ ; and 20, 69  
Sec. 35, S $\frac{1}{2}$ , less 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; 13, 69  
T. 29 N., R. 39 E.,  
Sec. 9, SE $\frac{1}{4}$ ; 21, 70, 115  
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; 22, 40, 71, 116  
Sec. 19, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ; and 21, 42, 43, 44, 70  
Sec. 20, NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ ; 21, 40, 42, 43, 72, 117  
T. 30 N., R. 39 E.,  
Sec. 34, SW $\frac{1}{4}$ ; 23, 73  
T. 36 N., R. 39 E.,  
Sec. 25, SW $\frac{1}{4}$ ; 24, 74, 118  
T. 32 N., R. 40 E.,  
Sec. 17, N $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ; 25, 45, 46, 75  
T. 34 N., R. 43 E.,  
Sec. 25, S $\frac{1}{2}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ ; 26, 76, 119  
Containing 15,084.42 acres.

#### Application M 57980

##### Principal Meridian

- T. 11 N., R. 50 E.,  
Sec. 26, S $\frac{1}{2}$ ; and 27, 47, 77  
Sec. 34, all; 47, 77  
T. 12 N., R. 50 E.,  
Sec. 27, lots 1 and 2, E $\frac{1}{2}$  of Lot 3, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; 78  
T. 9 N., R. 53 E.,  
Sec. 22, S $\frac{1}{2}$ ; 28, 79, 120  
Sec. 23, all; 29, 48, 80, 121  
Sec. 25, all; and 80, 81, 122  
Sec. 26, all; 49, 81, 123  
T. 10 N., R. 54 E.,  
Sec. 6, lots 6 and 7, E $\frac{1}{2}$ SW $\frac{1}{4}$ ; and 82, 124  
Sec. 15, all; 30, 83, 125  
T. 8 N., R. 56 E.,  
Sec. 13, all; 84, 126  
Sec. 14, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ; and 84, 127  
Sec. 24, S $\frac{1}{2}$ ; 128  
T. 8 N., R. 57 E.,  
Sec. 19, all; and 31, 50, 86, 129  
Sec. 24, SW $\frac{1}{4}$ ; 51, 87, 130  
Containing 6,475.82 acres.  
Total Acres in Selection—21,560.24 acres.

6. In addition to the lands shown in paragraph 5, the following described mineral estate is classified for

evaluation purposes to equalize land and resource values;

##### Principal Meridian

- T. 8 S., R. 43 E.,  
Sec. 10, S $\frac{1}{2}$ ; 131 (Federal Surface, Federal Minerals)  
Sec. 14, W $\frac{1}{2}$ W $\frac{1}{2}$ ; (State Surface, Federal Minerals)  
Sec. 15, E $\frac{1}{2}$ . (State Surface, Federal Minerals)  
The lands contain approximately 800 acres of mineral estate.

7. The following listed corporations and individuals are holders of or applicants for leases, permits, withdrawals, and/or rights-of-way on the public lands described in paragraph 5 above:

##### Oil and Gas Leases

- <sup>1</sup> M 49616 John Sheldon, 134 Alida Road, Braintree, MA 02184.  
<sup>2</sup> M 49617 John H. Trigg, P.O. Box 520, Roswell, NM 88201.  
<sup>3</sup> M 56054 Leister Partnership, 910 Pleasant St., New Orleans, LA 70115.  
<sup>4</sup> M 35834 Xeno, Inc., 808 4th Ave., SW, Calgary, Alberta, Canada T2P 0K4.  
<sup>5</sup> M 56056 Nelson Bunker Trust, 2500 First National Bank, Dallas, TX 75202.  
<sup>6</sup> M 32634 Mar-Win Development Co., P.O. Box 874, Midland, TX 79701.  
<sup>7</sup> M 35669 Flare Energy Corp., 860 Anaconda Tower, 555 17th Street, Denver, CO 80202.  
<sup>8</sup> 57903 Valero Products, 1512 Larimer Street #310, Denver, CO 80202.  
<sup>9</sup> M 57427 B. F. Rudolph, Jr., P.O. Box 1842, Monterey, CA 93940.  
<sup>10</sup> M 50022 Hunt Energy Corp., Hassie Hunt Expl. Co., W. H. Hunt Trust Est., Prosper Energy Corp., Hunt Petroleum Corp., H. G. Hunt Trust Est., Lomar Hunt Trust Est., Propel Energy Co., 2500 First National Bank, Dallas, TX 75202.  
<sup>11</sup> M 24934 Warren Koch, 211 27th Street, NE, Cedar Rapids, IA 52402.  
<sup>12</sup> M 33870 Adobe Oil & Gas Corporation, 1100 Western United Life Building, Midland, TX 79701.  
<sup>13</sup> M 52774 Ambra Oil & Gas Company, 47 West 200 St., Suite 510, Salt Lake City, UT 84101.  
<sup>14</sup> M 50493 Clifford Cone, P.O. Box 6010, Lubbock, TX 79413.  
<sup>15</sup> M 55431 Teresa Hatch, 6702 SE 29th Avenue, Portland, OR 97202.  
<sup>16</sup> M 36915 Petroleum, Inc., 500 Colorado State Bank Bldg., Denver, CO 80202.  
<sup>17</sup> M 53380 Katherine Prattes, 2451 Northlake Court, Atlanta, GA 30345.  
<sup>18</sup> M 39113 D.A.S. Resource Ventures, Inc., 2929 3rd Ave. N., Suite 306, Billings MT 59101.  
<sup>19</sup> M 56751 Dever Exploration, P.O. Box 2940, Casper, WY 82602.  
<sup>20</sup> 38837 EPX Company, P.O. Box 1492, El Paso, TX 79978.  
<sup>21</sup> 40327 Mid-America Petroleum, Inc., 1177 Campbell Centre II, Dallas, TX 75206; Eagle Exploration Co., 200 16th Street, Denver, CO 80202; First Exploration Co., 1616 Glenarm St., Suite 1600, Denver, CO 80202;

Albany Oil & Gas, Ltd., 200 16th Street, Denver, CO 80202; Dr. W. J. Langley, 7777 Lincoln Lane, Suite 309, Dallas, TX 75230.

<sup>22</sup> M 56753 Cactus Basin Partnership, 28990 Pck #214, Malibu, CA 90265.

<sup>23</sup> M 29089 J. M. Kelsch, P.O. Box 1294, Bismarck, ND 58501; Home Petroleum Corporation, 2000 North Loop West, Houston, TX 77092.

<sup>24</sup> M 43808 Saco 1981 Acreage Program, 1800 Glenarm Place, Denver, CO 80202.

<sup>25</sup> M 42322 Exxon Corporation, P.O. Box 2305, Houston, TX 77001.

<sup>26</sup> M 32640 Yellowstone Resources, Inc., 1726 Champa, Suite 300, Denver, CO 80202.

<sup>27</sup> M 26809 Martin Exploration Management Corp., P.O. Box 298, Blue Island, IL 60406.

<sup>28</sup> M 36284 Merle C. Chambers, 7800 E. Union Ave., Suite 1100, Denver, CO 80237.

<sup>29</sup> M 28546 Home Petroleum Corp., 2600 N. Loop West, Houston, TX 77092; J. M. Kelsch, P.O. Box 1543, Bismarck, ND 58501.

<sup>30</sup> M 25998 Diamond Shamrock Corp., 410 17th St., Suite 600, Denver, CO 80202.

<sup>31</sup> M 35851 Marathon Oil Co., P.O. Box 120, Casper, WY 82602.

#### Rights-of-Way

<sup>32</sup> M 21440 Northern Natural Gas Company, 2223 Dodge Street, Omaha, NE 68102.

<sup>33</sup> M 40972 Triangle Tele. Coop. Assoc., Inc., P.O. Box 1230, Havre, MT 59501.

<sup>34</sup> M 044789 State of Montana, Highway Commission, Helena, MT 59620.

<sup>35</sup> M 45172 Blaine County Comm., P.O. Box 278, Chinook, MT 59523.

<sup>36</sup> M 39347 Triangle Tele. Coop. Assoc., Inc.

<sup>37</sup> M 29897 Northern Border Pipeline Co., 730 15th St., NW, Washington, D.C. 20005.

<sup>38</sup> M 49718 Big Flat Electric Coop., Malta, MT 59538.

<sup>39</sup> M 50677 Northern Border Pipeline, P.O. Box 3330, Omaha, NE 68103.

<sup>40</sup> M 28895 Valley Rural Tele. Coop. Assoc., Inc., P.O. Box 392, Glasgow, MT 59230.

<sup>41</sup> M 034027 Montana-Dakota Utilities Co., 400 N. 4th St., Bismarck, ND 58501.

<sup>42</sup> M 044768 State of Montana Highway Comm.

<sup>43</sup> M 43824 Mountain Bell, 560 North Park, Helena, MT 59601.

<sup>44</sup> M 044685 State of Montana, Highway Comm.

<sup>45</sup> M 044704 State of Montana, Highway Comm.

<sup>46</sup> M 054441 State of Montana, Highway Comm.

<sup>47</sup> M 053759 Bureau of Reclamation, P.O. Box 2553, Billings, MT 59103.

<sup>48</sup> M 25791 Mid-Rivers Tele. Coop., Inc., P.O. Box 280, Circle, MT 59245.

<sup>49</sup> M 044648 Leonard A. Leland, Ismay, MT 59336.

<sup>50</sup> M 36151 Mid-Rivers Tele. Coop., Inc.

<sup>51</sup> M 21958 Montana-Dakota Utilities Co., 400 N. 4th St., Bismarck, ND 58501.

#### Grazing Lessees

<sup>52</sup> Art Kleinjan, c/o Lohman CSGD, P.O. Box 549, Chinook, MT 59523.

<sup>53</sup> S Bar B Ranch, c/o Coal Creek CSGD, P.O. Box 549, Chinook, MT 59523.

<sup>54</sup> Paul Niederegger, Harlem, MT 59526.

<sup>55</sup> John Mohar, c/o Wayne Creek CSGD, Box 30, Route 1, Harlem, MT 59520.

<sup>56</sup> C. R. Rudolph, Hogeland, MT 59529.

<sup>57</sup> Louis Modic, Jr., c/o Wayne Creek CSGD, Box 30, Route 1, Harlem, MT 59520.

<sup>58</sup> Vernon Halvorson, Turner, MT 59542.

<sup>59</sup> Turner Colony, c/o Wayne Creek CSGD, Box 30, Route 1, Harlem, MT 59520.

<sup>60</sup> Herman Leise, c/o North Phillips CSGD, P.O. Box 189, Malta, MT 59538.

<sup>61</sup> Ben Math, Whitewater, MT 59544; Henry Leibel, Whitewater, MT 59544.

<sup>62</sup> Ben Math, Whitewater, MT 59544; Heronimus Leibel, Whitewater, MT 59544.

<sup>63</sup> Mike Hammond, Whitewater, MT 59544.

<sup>64</sup> Gary Anderson, P.O. Box 45, Whitewater, MT 59544.

<sup>65</sup> Gary Anderson, P.O. Box 45, Whitewater, MT 59544; Ben Math, Whitewater, MT 59544.

<sup>66</sup> Earl Britsch, P.O. Box 146, Hinsdale, MT 59241; Funk Ranch, Inc., c/o Owen Funk, Hinsdale, MT 59241.

<sup>67</sup> Earl Britsch, P.O. Box 146, Hinsdale, MT 59241.

<sup>68</sup> Ben Borenson Estate, c/o Bernice Barrett, P.O. Box 467, Glasgow, MT 59230; Floyd and Don Nelson, Tampico Route, Glasgow, MT 59230.

<sup>69</sup> Donald Nelson, Tampico Route, Glasgow, MT 59230.

<sup>70</sup> Leonard Swenson, P.O. Box 815, Glasgow, MT 59230.

<sup>71</sup> Golden Meadow Partnership, c/o Dennis Garsjo, P.O. Box 169, Glasgow, MT 59230.

<sup>72</sup> Manson Bailey, Jr., P.O. Box 743, Glasgow, MT 59230.

<sup>73</sup> Walter Riggan, Tampico Route, Glasgow, MT 59230; Louise Christiana, P.O. Box 455, Glasgow, MT 59230; Robert and Harold Potter, P.O. Box 925, Glasgow, MT 59230; Clifford Rice, P.O. Box 211, Glasgow, MT 59230.

<sup>74</sup> Donald Davenport, P.O. Box 31, Opheim, MT 59250.

<sup>75</sup> Robert Keefer, Fergus Route, Roy, MT 59471.

<sup>76</sup> Stan-Fuhr, Inc., c/o Owen Funk, Hinsdale, MT 59241.

<sup>77</sup> David Hess, Terry, MT 59349.

<sup>78</sup> Hines Ranch, c/o Verlan Hines, Terry MT 59349.

<sup>79</sup> Brown Ranch, P.O. Box 645, Terry, MT 59349.

<sup>80</sup> Robert J. Gray, Ismay, MT 59336.

<sup>81</sup> Leland Ranch, Inc., Ismay, MT 59336.

<sup>82</sup> Erling Mathiason, c/o Alan Mathiason, Mildred, MT 59341.

<sup>83</sup> Weldon Birdwell, P.O. Box 1258, Miles City, MT 59301.

<sup>84</sup> Bickle, Inc., Ismay, MT 59336.

<sup>85</sup> Steven Stickney, Ismay, MT 59336.

<sup>86</sup> Hable Sieler, Plevna, MT 59344.

<sup>87</sup> Steffes, Inc., c/o Lawrence Steffes, Plevna, MT 59344.

#### Range Improvements

<sup>88</sup> Fence 3373, Art Kleinjan.

<sup>89</sup> Reservoir 3737, Art Kleinjan

<sup>90</sup> Fence 3848, Reservoir 3945, S Bar B Ranch.

<sup>91</sup> BR-78 Reservoir, Paul Niederegger.

<sup>92</sup> Fence 3502, John Mohar.

<sup>93</sup> Fence 3483, C. R. Rudolph.

<sup>94</sup> Fence 3490, Reservoir 3620, Louis Modic,

<sup>95</sup> Well Windmill 3468, Vernon Halvorson.

<sup>96</sup> Fence 3474, Turner Colony.

<sup>97</sup> Fence 3496, Herman Leise.

<sup>98</sup> Reservoir 3454, Herman Leise.

<sup>99</sup> Pit 1392, Fence 1417, Pit 2000, Math & Leibel.

<sup>100</sup> Fence 1417, Dugout 7069, Math & Leibel.

<sup>101</sup> Fence 1417, Fence 1889, Reservoir 1497 PR-248, Reservoir 1749, Math & Leibel.

<sup>102</sup> Fence 1417, Fence 1889, Reservoir #1 & 2, 1750, Math & Leibel.

<sup>103</sup> Fence 1965, Fence 1889, Reservoir 1488 PR-156, Math & Leibel.

<sup>104</sup> Fence 1889, Reservoir 7071, 7365, 1752, 1500 PR-251, Math & Leibel.

<sup>105</sup> Fence 1889, Reservoirs 1499 PR-250, 1747, Snow Catch Shelterbelt 7228, Math & Leibel.

<sup>106</sup> Fence 384, Pit 2066, Mike Hammond.

<sup>107</sup> Fence 1884, Reservoir 1923, Mike Hammond.

<sup>108</sup> Fence 1884, Reservoir 1463, Pit 1501 PR-252, Mike Hammond.

<sup>109</sup> Fence 1578, Gary Anderson.

<sup>110</sup> Fence 2115, Reservoirs 1470 PR-9, 1801, Gary Anderson.

<sup>111</sup> Fence 1578, Anderson & Math.

<sup>112</sup> Fence and Cattleguard 2095, Reservoir 2069, Mike Hammond.

<sup>113</sup> Fence 312, Cattleguard 216, Earl Britsch.

<sup>114</sup> Fence 0607, Borenson & Nelson.

<sup>115</sup> Reservoir 6942, Leonard Swenson.

<sup>116</sup> Fences 0740 and 0758, Golden Meadow Partnership.

<sup>117</sup> Reservoir 0675, Pit, Manson Bailey.

<sup>118</sup> Reservoir 0053, Donald Davenport.

<sup>119</sup> Fence 0024, Hans Stannebein.

<sup>120</sup> Fences 965, 1004, Brown Ranch.

<sup>121</sup> Fence J-1002, Cattleguard 1001, Reservoir 6760, Robert J. Gray.

<sup>122</sup> Fence 104, Robert J. Gray & Leland Ranch, Inc.

<sup>123</sup> Fence 1004, Reservoir 158, Well 1003, Grass Seeding 4-738, Leland Ranch, Inc.

<sup>124</sup> Fence 882, Erling Mathiason.

<sup>125</sup> Cattleguard 6684, Water Spreaders 996, Weldon Birdwell.

<sup>126</sup> Fence 912, Reservoir 2254, Bickle, Inc.

<sup>127</sup> Fence 912, Reservoir 944, Bickle, Inc.

<sup>128</sup> Well 4040, Steven Stickney.

<sup>129</sup> Fence 7103, Reservoir 185, Hable Sieler.

<sup>130</sup> Reservoir 41, Steffes, Inc.

<sup>131</sup> M 3095 M.J. Harvey, Jr., P.O. Box 8060, Dallas, TX 75205.

8. Rights-of-way granted by the Bureau of Land Management on the above lands will transfer with the land or may be reserved to the United States. Where mineral rights will transfer to the State, existing oil and gas leases will remain in effect under the terms and conditions of the leases. This classification constitutes official notice to grazing lessees that their Bureau of Land Management leases will be terminated in whole or in part upon transfer of the land to the State of Montana. The State Commissioner has agreed to give BLM's grazing permittees a preference right for grazing privileges on lands transferred to the State. The State leases will contain the same terms and conditions included in the present

leases to the fullest extent allowed by State laws. However, the State and the lessees may agree to enter into other tenure arrangements.

For a period of 45 days from the date of first publication indicated below, persons asserting a claim to or interest in the described lands, other than holders of leases, permits or rights-of-way listed above, may file such claim with the State Director, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107, together with evidence that a copy thereof has been served on the Board of Land Commissioners, State of Montana, Capitol Building, Helena, Montana 59620.

Kannon Richards,  
*Acting State Director.*

[FR Doc 83-7516 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-84-M

#### [Group 629]

#### Arizona; Filing of Plat of Survey

April 15, 1983.

1. Plat of survey of the land described below will be officially filed in the Arizona State Office, Phoenix, Arizona effective at 7:45 a.m. on June 3, 1983.

Gila and Salt River Meridian, Arizona

UNS. T. 1 S., R. 16 E.

Tract 38

The area described contains 94.74 acres of land.

2. The land described above is located about 5 miles ESE of Globe, Arizona. The average elevation is about 3,500 feet above sea level. The terrain is rolling and drains in an easterly direction. Vegetation consists of oak brush, mesquite, yucca, cacti, crucifixion thorn, cat claw, creosote and scattered juniper.

3. Access to Tract 38 is by way of State Highway No. 70. The southerly right-of-way is identical with the North bdy. of Tract 38.

4. The above described land in Unsurveyed T. 1 S., R. 16 E., was included within the Tonto National Forest by Proclamation 795, of January 13, 1908.

5. The land described in paragraph 1 is included in a Designation Order, Tonto Forest Townsite, pursuant to the Act of July 31, 1958 (72 Stat. 438, 7 U.S.C. 10122, 16 U.S.C. 478a), as amended, and is segregated from appropriation, location or entry under the General Land and Mineral Laws.

6. Inquiries concerning the lands should be addressed to the Arizona State Office, Bureau of Land

Management, 2400 Valley Bank Center, Phoenix, Arizona 85073.

Mario L. Lopez,  
*Chief, Branch of Lands and Minerals Operations.*

[FR Doc. 83-10691 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-84-M

#### [N-37930]

#### Nevada; Airport Lease Application

April 15, 1983.

Notice is hereby given that pursuant to the Act of May 24, 1928 (49 U.S.C. 211-214), All Minerals Corporation has applied for an airport lease for the following land:

Mount Diablo Meridian

T. 12 N., R. 46 E.,

Secs. 11, 14, 15 and 22 (within).

The area described comprises 36 acres in Nye County, Nevada. The application was filed on February 7, 1983, and on that date the land was segregated from all other forms of appropriation under the public land laws.

Interested persons may submit comments to the District Manager, Bureau of Land Management, P.O. Box 194, Battle Mountain, Nevada 89820.

Charles E. Hancock,  
*Acting Deputy State Director, Operations.*

[FR Doc. 83-10692 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-84-M

#### Wyoming and Montana; Intent to Rank Tracts and Select Combinations of Tracts; Powder River Coal Production Region

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice of Intent to rank tracts, select EIS alternatives, and Notice of Regional Coal Team Meeting.

**SUMMARY:** Pursuant to the responsibilities set forth in 43 CFR 3400.4(c)(b), the Powder River Regional Coal Team (RCT) will meet May 18, 1983, in Billings, Montana, to rank potential lease tracts and to select the combinations of tracts which will comprise the lease alternatives to be addressed in the regional EIS.

Public attendance at the regional coal team meeting is welcomed and encouraged. The opportunity for the public to address the regional coal team will be provided during the meeting.

**DATE:** The regional coal team meeting will be held May 18, 1983, in Billings, Montana. The meeting is expected to last 1 day and will begin at 9 a.m.

**ADDRESS:** The meeting will be held at the Ramada Inn, I-90 and Mullowney Lane, Billings, Montana 59102.

#### FOR FURTHER INFORMATION CONTACT:

J. Stan McKee, Project Manager, 307-778-2293, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82001.

Dated: April 14, 1983.

J. Stan McKee,  
*Acting Chief, Branch of Solid Minerals.*

[FR Doc. 83-10694 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-84-M

#### Lakeview District Advisory Council; Meeting

Notice is hereby given in accordance with Pub. L. 94-579 and 43 CFR Part 1780 that a meeting of the Lakeview District Advisory Council will be held on May 12, 1983. The meeting will begin at 8:00 A.M. at the Lakeview District Office at 1000 So. Ninth St., Lakeview, Oregon.

The agenda for the meeting will include:

1. Organization and role of the District Advisory Council.
2. Asset Management/DLE's.
3. Range Program Summary (RPS) Update.

Field tour to discuss:

4. Wilderness
5. State Land Exchange
6. Range Management Topics

Interested persons may make oral statements before the Council or file written statements for the Council's consideration.

Summary minutes of the Council Meeting will be maintained in the District Office and available for public inspection (during regular business hours) within 30 days following the meeting.

Dated: April 4, 1983.

Richard A. Gerity,  
*District Manager.*

[FR Doc. 83-10760 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-84-M

#### [AA-2763, AA-7005, AA-8226, AA-16841]

#### Alaska; Termination of Segregative Effect; Correction

This is to correct FR Doc. Vol. 48, No. 4, pages 739 and 741, published January 6, 1983 which contained errors in the land descriptions as follows:

2. Project No 207, line 9 reads 1500 feet. this is corrected to read 1550-foot.

18. Project No. 840, line 17 reads "Exhibit B". This is corrected to read "Exhibit E".

Robert W. Faithful IV

Chief, Division of Conveyances.

[FR Doc. 83-10693 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-84-M

#### (N-367)

#### Nevada; Order Providing for Opening of Lands

April 15, 1983.

By quitclaim deed, executed March 8, 1983, the following-described land was reconveyed to the United States:

T. 20 N., R. 19 E., Mt. Diablo Mer., NV  
Sec. 27: S½NW¼NW¼.

The area described comprises 20 acres in Washoe County, Nevada.

The purpose of this notice is to inform the public that the Bureau of Land Management, on behalf of the United States, has accepted title to the above-described land. Said land regained public land status on April 8, 1983.

Norman L. Murray,

Acting Carson City District Manager.

[FR Doc. 83-10690 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-84-M

#### Minerals Management Service

#### Environmental Documents Prepared for Proposed Oil and Gas Operations on the Gulf of Mexico Outer Continental Shelf (OCS)

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of the Availability of Environmental Documents Prepared for OCS Mineral Exploration, Development/Production, and Pipeline Rights-of-Way Application Proposals on the Gulf of Mexico OCS.

**SUMMARY:** The Minerals Management Service (MMS), in accordance with Federal Regulations (40 CFR 1501.4 and 1506.6) that implement the National Environmental Policy Act (NEPA), announces the availability of NEPA related environmental assessments (EAs) and findings of no significant impact (FONSI), prepared by the MMS for the following oil and gas exploration and development/production activities and pipeline rights-of-way applications proposed on the Gulf of Mexico OCS. This listing includes all proposals for which environmental documents were prepared by the Gulf of Mexico OCS Region in the 3-month period preceding this Notice.

#### Activity/operator, Location and FONSI date

Mobil Producing Texas, and New Mexico Inc., OCS-G 5108, EA No. 506, Plan Control No. N-1099, High Island Area, East Addition, South Extension, Block A-374; (127 mi. southeast of Freeport Texas); February 14, 1983.

Anadarko Production Company, OCS-G 2750 and 2754, EA No. 507, Plan Control No. S-1045, High Island Area, East Addition, South Extension, Blocks A-365 and A-376; (115 mi. southeast of Galveston, Texas); March 1, 1983.

Union Oil Company of California, OSC-G 5149, East Breaks Area, Block 160,—High Island Area, South Addition, Block A-536, (17.15 miles of 10¾" crude oil pipeline); January 20, 1983.

Texas Eastern Transmission Corporation, OCS-G 5156, Vermilion Area, Blocks 75 and 76, (2.98 miles of 10" natural gas pipeline); October 27, 1982.

Tenneco Inc., OCS-G 5157, West Delta Area, Blocks 58 and 59, (0.96 mile of 6" natural gas pipeline); February 11, 1983.

Texas Eastern Transmission Corporation, OCS-G 5227, Chandeleur Area, Block 25,—Main Pass Area, Block 93, (11.42 miles of 12" natural gas pipeline); March 10, 1983.

Texas Eastern Transmission Corporation, OCS-G 5228, Chandeleur Area, Blocks 17 and 25, (1.86 miles of 8" natural gas pipeline); March 14, 1983.

Exxon Pipeline Company, OCS-G 5229, Mississippi Canyon Area, Block 280,—South Pass Area, South Addition, Block 93, (15.21 miles of 12" crude oil and/or gas pipeline); February 7, 1983.

McMoran Offshore Exploration Co., OCS-G 5230, South March Island Area, South Addition, Block 174,—Eugene Island Area, South Addition, Block 313, (14.02 miles of 6" oil pipeline); February 25, 1983.

Tenneco Inc., OCS-G 5232, West Cameron Area, South Addition, Blocks 493 and 498, (2.48 miles of 6" natural gas pipeline); March 14, 1983.

Person interested in reviewing environmental documents for the proposals listed above or obtaining information about EAs and FONSI prepared for activities on the Gulf of Mexico OCS are encouraged to contact the MMS office in the Gulf of Mexico OCS Region.

**FOR FURTHER INFORMATION CONTACT:** Regional Supervisor, Offshore Operations Support, Gulf of Mexico OCS Region, Minerals Management Service, Post Office Box 7944, Metairie, Louisiana 70010, Phone 504/837-4720.

**SUPPLEMENTARY INFORMATION:** The MMS prepares EAs and FONSI for proposals which relate to exploration for and the development/production of oil and gas resources on the Gulf of Mexico OCS. The EAs examine the potential environmental effects of activities described in the proposals and present MMS conclusions regarding the significance of those effects. EAs are used as a basis for determining whether or not approval of the proposals constitutes major Federal actions that significantly affect the quality of the human environment in the sense of NEPA & 102(2)(C). A FONSI is prepared in those instances where the MMS finds that approval will not result in significant effects on the quality of the human environment. The FONSI briefly presents the basis for that finding and includes a summary or copy of the EA.

This notice constitutes the public notice of availability of environmental documents required under the NEPA Regulations.

Dated: April 13, 1983.

John L. Rankin,

Acting Regional Manager, Gulf of Mexico OCS Region.

[FR Doc. 83-10685 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-MR-M

#### Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Amoco Production Co.

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of the Receipt of a Proposed Development and Production Plan.

**SUMMARY:** Notice is hereby given that Amoco Production Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS-G 0971 and 1880, Blocks 261 and 214, East Cameron Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Regional Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

**FOR FURTHER INFORMATION CONTACT:** Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

**SUPPLEMENTARY INFORMATION:** Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: April 15, 1983

John L. Rankin,  
*Acting Regional Manager, Gulf of Mexico OCS Region.*

[FR Doc. 83-10689 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-MR-M

### Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Mark Producing, Inc.

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of the Receipt of a Proposed Development and Production Plan.

**SUMMARY:** This Notice announces that Mark Producing, Inc., Unit Operator of the High Island A-462/A-475 Federal Unit Agreement No. 14-08-0001-20236, submitted on April 11, 1983, a proposed initial plan of development/production describing the activities it proposes to conduct on the High Island A-462/A-475 Federal Unit.

The purpose of this Notice is to inform the public, pursuant to section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the plan and that it is available for public review at the offices of the Regional Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 N. Causeway Blvd., Room 147, Metairie, Louisiana 70002.

**FOR FURTHER INFORMATION CONTACT:** Minerals Management Service, Public Records, Room 147, open weekdays 9:00 a.m. to 3:30 p.m., 3301 N. Causeway Blvd., Metairie, Louisiana 70002, phone (504) 837-4720, ext. 226.

**SUPPLEMENTARY INFORMATION:** Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in development and production plans available to affected States, executives of affected local governments, and other interested parties became effective on December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised

§ 250.34 of Title 30 of the Code of Federal Regulations.

Dated: April 14, 1983.

John L. Rankin,  
*Acting Regional Manager, Gulf of Mexico OCS Region.*

[FR Doc. 83-10686 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-MR-M

### Oil and Gas and Sulphur Operations in the Outer Continental Shelf; McMoRan Offshore Exploration Co.

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of the Receipt of a Proposed Development and Production Plan.

**SUMMARY:** Notice is hereby given that McMoRan Offshore Exploration Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS-G 3108 and 3466, Blocks 700 and 713, Matagorda Island Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Regional Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

**FOR FURTHER INFORMATION CONTACT:** Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd. Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

**SUPPLEMENTARY INFORMATION:** Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: April 14, 1983.

John L. Rankin,  
*Acting Regional Manager, Gulf of Mexico OCS Region.*

[FR Doc. 83-10687 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-MR-M

### Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Union Oil Co. of California

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of the Receipt of a Proposed Development and Production Plan.

**SUMMARY:** Notice is hereby given that Union Oil Company of California has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 3786, Block 372, Eugene Island Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Regional Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

**FOR FURTHER INFORMATION CONTACT:** Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

**SUPPLEMENTARY INFORMATION:** Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: April 15, 1983.

John L. Rankin,  
*Acting Regional Manager, Gulf of Mexico OCS Region.*

[FR Doc. 83-10688 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-MR-M

### National Park Service

#### Redwood National Park, California; Availability of Statement of Findings Regarding Floodplain Management and Wetland Protection

**SUMMARY:** Pursant to the requirements specified in Executive Order 11988 (May 24, 1977), for Floodplain Management, Executive Order 11990 (May 24, 1977) for Protection of Wetlands and their implementing guidelines, and the

National Park Service Floodplain Management and Wetland Protection Guidelines (Federal Register, Volume 45, Number 104—Wednesday, May 28, 1980), the National Park Service, Department of the Interior, gives notice that a statement of findings has been prepared for the Redwood Information Center, Redwood National Park, California.

The action calls for the construction of a visitor information center building and parking lot in a previously developed area located within the 100 year flood and the 500 year ??? event. However, the actual building is to be constructed above levels.

**FOR FURTHER INFORMATION OR FOR A COPY OF THE STATEMENT OF FINDINGS, CONTACT:**

Howard H. Chapman, Regional Director, Western Region, National Park Service, P.O. Box 36063, San Francisco, California 94102, Telephone: (415) 556-4196; or Douglas Warnock, Superintendent, Redwood National Park, 1111 Second Street, Crescent City, California 95531, Telephone: (707) 464-6101.

Dated: April 15, 1983.

W. Lowell White,

Acting Regional Director, Western Region.

[FR Doc. 83-10682 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-70-M

## Office of the Secretary

### Coastal Barrier Resources Act

**AGENCY:** Office of the Secretary, Interior

**ACTION:** Notice.

**SUMMARY:** Consistent with the provisions of Section 4(c) of the Coastal Barrier Resources Act (CBRA) (Pub. L. 97-348), and with the guidelines published in the Federal Register on November 19, 1982 (47 FR 52388-52393), the Department has completed making minor and technical modifications to the boundaries of the system units within 180 days after the date of enactment as required by CBRA. The Department provided written descriptions and notice of the proposed minor and technical modifications on March 14, 1983 to the Committee on Merchant Marine and Fisheries in the House of Representatives and to the Committee on the Environment and Public Works in the Senate. This information was also provided to the chief executive officer of each State, county, or equivalent jurisdiction in which a system is located; each State coastal zone management agency in those States which have a coastal zone management plan approved pursuant to section 306 of the Coastal Zone Management Act of 1972

(16 U.S.C. 1455) and in which a system is located; and each appropriate Federal agency, as required by CBRA. This information was also made available to the public as published in the Federal Register (47 FR 11177-11178) March 16, 1983. Comments on the proposed modifications were accepted through April 13, 1983.

As required, the Department has provided notice and written justification of the final minor and technical modifications to the individuals and entities indicated above.

Copies of all comments received and maps showing final modifications are available for public review. Interested individuals may contact the Coastal Barriers Task Force, Room 3149, U.S. Department of the Interior, Washington, DC 20240, prior to May 2, 1983 or the U.S. Fish and Wildlife Service after that date.

**ADDRESS:** Mr. Ric Davidge, Chairman, Coastal Barriers Task Force, U.S. Department of the Interior, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frank McGilvrey, Coastal Barriers Officer, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington DC 20240. (202) 343-5000. Ric Davidge,

Acting Assistant Secretary for Fish and Wildlife and Parks.

April 18, 1983.

[FR Doc. 83-10684 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-70-M

### Guidelines for Transactions Between Nonprofit Conservation Organizations and Federal Agencies

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Notice of final guidelines—Request for additional comments.

**SUMMARY:** The Assistant Secretary for Fish and Wildlife and Parks is publishing final guidelines for transactions between nonprofit conservation organizations and Federal agencies that utilize the Land and Water Conservation Fund (LWCF). These guidelines will provide broad instructions to the four Federal agencies in their use of nonprofit conservation organizations to assist in securing the natural, cultural, wildlife and recreation values in greatest need of protection.

The guidelines will apply to the National Park Service, Fish and Wildlife Service, and the Bureau of Land Management in the Department of the Interior and the Forest Service in the Department of Agriculture.

**DATE:** Additional comments must be received before May 23, 1983. Unless

modified pursuant to notice in the Federal Register, these guidelines shall be effective June 21, 1983.

**FOR FURTHER INFORMATION CONTACT:** Ric Davidge, Chairman, LWCF Policy Group, Room 3156, Department of the Interior, Washington, D.C. 20240.

**SUPPLEMENTARY INFORMATION:** The public was invited to comment on the proposed guidelines, that appeared in the Federal Register, January 28, 1983 (Vol. 48, No. 20, pages 4055-6).

There were several comments received via phone expressing support for the guidelines and an interest in their rapid implementation. Thirty-two written comments were received. Thirty-one fully supported the guidelines and their immediate implementation by all of the Federal agencies using the Land and Water Conservation Fund. One letter supported all of the basic principles except the requirement that a letter of intent be sent to the nonprofit organization outlining necessary land or interest in land needed, the estimated value, the projected time when the agency intends to acquire the property from the nonprofit organization and an explanation of the limitation of liability to the Government should the Federal agency be unable or decline to purchase the land.

The letter of intent is essential to establishing a common understanding of what is expected from the nonprofit and the Government. The purpose of these guidelines is to clarify the relationships between individual nonprofit organizations and LWCF Act agencies. This policy is primarily applicable when the nonprofit is dependent on Federal funding to conclude a transaction. Obviously, these guidelines are not intended to preclude purely private actions. Any private party can buy land within the boundaries of Federal areas without Federal permission or acquiescence. In those cases, however, where a nonprofit or any individual needs or requests limited Federal assurances prior to proceeding—those limited assurances will be subject to the policy guidelines provided herein. When a nonprofit requires limited assurances before it proceeds, our policy will require that certain ground rules be followed.

The majority of these ground rules were laid out in the proposed guidelines. Furthermore, there is an additional concern—not previously reflected in the guidelines—that full disclosure of financial arrangements be made in each case where the nonprofit has secured the land via an option to purchase and does not and will not own title to the



property prior to receipt of a firm Federal commitment to purchase the tract in question.

In these cases the Government will also want to know the financial background of the transaction. A disclosure of the financial background should indicate the price of the property to the nonprofit, the basis for that price (appraisals, etc.), the costs to the nonprofit, and the price and basis thereof for the subsequent sale to the United States. This additional requirement has now been added. In our view this type of disclosure to the concerned Federal agency is reasonable given the level of Federal commitment that is being requested, prior to nonprofit action. Because this is a new provision—although one applicable only to a very limited situation—additional time is being provided for public review and comment.

Office of Management and Budget and the General Accounting office have urged that guidelines be developed. The General Accounting Office's concerns have been expressed in recent reports including *Overview of Federal Land Acquisition and Management Practices* (CED 81-135), which noted that 4.5 percent of the land acquired by the National Park Service, the Fish and Wildlife Service, and the Forest Service during the period 1965-1979 was acquired through the use of nonprofit conservation organizations, and recommended that the Department develop a written policy for dealing with these groups. Such a policy, the report stated, should provide guidance on "when to use nonprofits, what the working relationship should be, and what unique land acquisition procedures might be appropriate."

Congress, as recently as the Explanatory Statement of the Recommendations of the Senate Committee on Appropriations on the Department of the Interior and Related Agencies Appropriation Bill, 1983 (H.R. 7356), indicated its support and interest in improving the " \* \* \* cooperation between the land acquiring agencies and the nonprofit organizations that are capable of performing a valuable service in helping acquire properties \* \* \*". It is the intent of the guidelines to create an understanding of the benefits and operating procedures of the nonprofit organizations and the Federal agencies and to foster greater cooperation.

The Department of the Interior has determined that this document is not a major rule under E.O. 12291 and certifies that this document will not have a significant economic effect on a substantial number of small entities

under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under 44 U.S.C. 3501 et seq.

These guidelines do not in themselves constitute a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969 (NEPA). NEPA concerns will be addressed at the individual unit levels on a case-by-case basis.

Nonprofit conservation organizations, like other private landowners, make their own decisions regarding the purchase and sale of real property. However, when dealing with resources to be purchased by the Federal agencies using the Land and Water Conservation Fund, some basic principles should be followed.

The Assistant Secretary for Fish and Wildlife and Parks makes notice of the following guidelines.

#### **Guidelines for Transactions Between Nonprofit Conservation Organizations and Federal Agencies**

##### *Introduction*

Because of the lengthy time requirements in the budgeting and appropriation process, Federal agencies are frequently unable to acquire land in response to imminent threats to critical resources or to buy needed resources under favorable terms. With the ability to act quickly in the private market and maintain flexible working relationships with landowners, nonprofit conservation organizations can assist and support the Federal land acquisition program. However, the role of nonprofit organizations in acquiring land or interests in land should be clearly and carefully defined in each transaction considering the basic principles listed below.

##### *Basic Principles*

Nonprofit conservation organizations are not in any manner agents of the Federal Government. They are private independent groups who freely negotiate real estate actions anywhere and anytime they desire and at their own risk. However, in dealing with the Government agencies, because of statutory, budgetary and policy considerations, the objectives of the Federal agencies must be paramount to those of the nonprofit conservation organizations.

Lands or interests in lands proposed for acquisition through a nonprofit organization should be in accord with priorities outlined by the agency:

Lands or interests in land acquired from nonprofit organizations must be within the boundaries of authorized areas, consistent with existing acquisition authorities, and limited to tracts that the agency has determined need to be acquired.

In each case the proposal of the agency should be outlined in a letter of intent to the nonprofit organization. The letter should provide the nonprofit organization with a minimum of: (1) Land or interest in land needed; (2) the estimated value; (3) the projected time frame as to when the agency intends to acquire the property from the nonprofit organization; and (4) a statement indicating that should the agency be unable or decline for policy reasons to purchase the land within the projected time frame, disposition of the land or interests in land by the nonprofit organization is without liability to the Government.

In cases where a nonprofit conservation agency or individual has secured an option to buy and does not or will not own title prior to a binding Federal commitment to purchase, all financial arrangements including the option price, the sale price to the Federal agency and appraisal data must be disclosed before a decision to purchase is made by the Federal agency.

G. Ray Arnett,

*Assistant Secretary for Fish and Wildlife and Parks.*

April 15, 1983.

[FR Doc. 83-10883 Filed 4-21-83; 8:45 am]

BILLING CODE 4310-70-M

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## **INTERSTATE COMMERCE COMMISSION**

[Investigation and Suspension Docket No. M-29788]

### **Motor Carriers; Charge for Shipments Moving on Order; Notify Bill of Lading N.M.F.T.A.**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Extension of time to file comments.

**SUMMARY:** The previously established due date for comments (April 21, 1983) on our requirement that rules and charges unrelated to classification and not prescribed by the Commission be removed from the classification where the scope of the pertinent agreement is limited to classification making (See 47 FR 11572 (March 17, 1983)), has been extended 20 days.

**DATE:** Comments must be received by May 11, 1983.

**ADDRESS:** Send comments (original and 15 copies to: I. & S. M-29788, Interstate Commerce Commission, Office of Proceedings, Room 2139, Washington, D.C. 20423.

**FOR FURTHER INFORMATION CONTACT:** Jane Morris (202) 275-6434, or Howell I. Sporn (202) 275-7691.

**SUPPLEMENTARY INFORMATION:** By petition filed April 11, 1983, the National Classification Committee (NCC) requests a 20-day extension of time (until May 11, 1983) to filing comments in this proceeding. The NCC states that due to the broad scope of the rules covered by our March 22, 1983 decision and the far-reaching impact of that decision on the National Motor Freight Classification, and extension is warranted.

The 20-day extension of time filing of comments in this proceeding is warranted. Given the importance and complexity of this proceeding, an extension will benefit both the parties and the Commission by insuring that the most responsive comments are filed, without unduly delaying the proceeding.

#### It Is Ordered

The petition is granted. The time for filing comments is extended to May 11, 1983.

Decided: April 15, 1983.

By the Commission, Reese H. Taylor, Jr., Chairman.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-10729 Filed 4-21-83; 8:45 am]

BILLING CODE 7035-01-M

#### Motor Carriers; Intent To Engage In Compensated Intercompany Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or to use compensated intercompany hauling operations as authorized in 49 U.S.C. 10524(b).

1. Parent corporation and address of principal office: Archer Daniels Midland Company, a Delaware corporation, 4666 Faries Parkway, Decatur, Illinois 62525.

2. Wholly owned subsidiaries which will participate in the operations, and address of their respective principal offices:

- (1) Ardanco, Inc., 4666 Faries Parkway, Decatur, Illinois
- (2) ADM International, S.A., 4666 Faries Parkway, Decatur, Illinois
- (3) ADM S.A., 4666 Faries Parkway, Decatur, Illinois
- (4) ADM Milling Co., 4550 W. 109th St., Shawnee Mission, Kansas

- (5) ADM Trucking, Inc., 4550 W. 109th St., Suite 218, Overland Park, Kansas
- (6) Chokey Creek Elevator Co., Chokey Creek, Georgia
- (7) The Columbian Peanut Company and Columbian Peanut Company International, P.O. Box 389, Norfolk, Virginia
- (8) Desoto Gin and Peanut Co., Desoto, Georgia
- (9) Fleischmann Malting Company, Inc., 410 Grain Exchange, Minneapolis, Minnesota
- (10) Gooch Feed Mill Corp., 540 South Street, Lincoln, Nebraska
- (11) Gooch Foods, Inc., 540 South Street, Lincoln, Nebraska
- (12) McMillan Products, Ltd., 818 Ashby Street, N.W., Atlanta, Georgia
- (13) Herbert Saliba, Inc., Byromville, Georgia
- (14) Supreme Sugar Co., Suite 320, #1 Shell Square, New Orleans, Louisiana
- (15) Tabor Grain Co., 4666 Faries Parkway, Decatur, Illinois
- (16) Miller Hauling Co., 316 Pike Street, Oakland, Illinois.

1. Parent Corporation and address of principal office: Beatrice Foods Co., Two North LaSalle St., Chicago, IL 60602.

2. Wholly owned subsidiaries and addresses of their principal place of business:

- Advance Citrus Co., Inc., 1001 13th Avenue, East, Bradenton, FL 33505  
Allison Manufacturing Co., 350 Fifth Avenue, New York, NY 10001  
Arizona Sparkling Bottling Water, Inc., 12815 N. 39th Avenue, Phoenix, AZ 85029  
Arrowhead Puritas Waters, Inc., 1334 S. Central Avenue, Los Angeles, CA 90021  
Aunt Nellie's Foods, Inc., P.O. Box 67, Clyman, WI 53016  
B & H Projects, Inc., 1001 13th Avenue, East Bradenton, FL 33505  
Berliner & Marx, Inc., 71 White Street, Brooklyn, NY 11206  
Bloomfield Industries, 4546 W. 47th Street, Chicago, IL 60632  
Brillion Iron Works, 200 Park Avenue, P.O. Box 10, Brillion, WI 54110  
Brookside Enterprises, Inc., 9900 Guasti Road, Guasti, CA 91743  
The Buckingham Company II, 620 Fifth Avenue, New York, NY 10020  
The Buckingham Corporation, 620 Fifth Avenue, New York, NY 10020  
Buckingham Distributors, Inc., 620 Fifth Avenue, New York, NY 10020  
Buckingham Distributors Company II, 620 Fifth Avenue, New York, NY 10020  
CCLA Communications, Inc., 1334 S. Central Avenue, Los Angeles, CA 90021  
Cal-Compac Foods, Inc., 4906 W. First Street, Santa Ana, CA 92702

Callard & Bowser (USA) Inc., One N. Broadway #1501, White Plains, NY 10601

Certified Transportation Co., 2068 Lapham Drive, Modesto, CA 95353  
Citrus Bowl, Inc., 7-02 154th Street, Whitestone, NY 11357

D. L. Clark Company, 503 Martindale Street, Pittsburgh, PA 15212

Coca-Cola Bottling Co. of Cedar Rapids, 851 66th Avenue SW., Cedar Rapids, IA 52401

Coca-Cola Bottling Co. (Dubuque, IA), 2435 Kerper Blvd., Dubuque, IA 52802

Coca-Cola Bottling Co. of Honolulu, 949 Mapunapuna Street, Honolulu, HI 96819

Coca-Cola Bottling Co. of Los Angeles, 1334 S. Central Avenue, Los Angeles, CA 90021

The Coca-Cola Bottling Co. of Madison/Rockford, 3536 University Avenue/10400 N. 2nd Street, Madison, WI 53705, Rockford, IL 61111

Coca-Cola Bottling Co. of Mason City, 2000 15th Street SW., Mason City, IA 50401

The Coca-Cola Bottling Co. of Mid-America, P.O. Box 500, Shawnee Mission, KS 66201

Coca-Cola Bottling Company of Omaha, 3200 N. 30th Street, Omaha, NE 68111

Coca-Cola Bottling Co. of San Bernardino & Riverside, 1230 N. Arrowhead Avenue, San Bernardino, CA 92405

Coca-Cola Bottling Co. of San Diego, 1348 47th Street, San Diego, CA 92102

Coca-Cola Bottling Co. of Spirit Lake, 907 18th Street, Spirit Lake, IA 51360

Coca-Cola Bottling Company of the Valley, Inc., 1348 47th Street, San Diego, CA 92102

Coca-Cola Bottling Company of Waterloo, c/o Two N. LaSalle Street, Chicago, IL, 60602

Meadow Gold Dairy (formerly Community Creamery), 420 Nora Street, Missoula, MT 59807

County Line Cheese Co., Route 2, Auburn, IN 46706

Culligan International Co., One Culligan Parkway, Northbrook, IL 60062

Cycle Parts Trading Co., 1001 13th Avenue, East Bradenton, FL 33505

Dahlgren & Company, P.O. Box 609, 1220 Sunflower Street, Crookston, MN 55716

Day-Timers, P.O. Box 67, East Texas, PA 18046

Diamond Head Beverages, Inc., 949 Mapunapuna Street, Honolulu HI 96819

Petere Eckrich and Sons, Inc., P.O. Box 388, Ft. Wayne, IN 46801

Edgar Packing Co., Inc., P.O. Box 195, Edgar, WI 54426

Elite Sounds, Inc., 122 DuPont Street, Plainview, NY 11803

Farmbelt Industries, Inc., 71 White Street, Brooklyn, NY 11208  
 Fiberite Corporation, 501 W. Third Street, Winona, MN 55987  
 Fiberite West Coast Corporation, 645 N. Cypress, Orange CA 92666  
 Fisher Nut Company, 2327 Wycliff Street, St. Paul, MN 55114  
 G. B. Holding Corporation, c/o Coca-Cola Bottling Co., 1334 S. Central Avenue, Los Angeles, CA 90021  
 James J. Gallery, Inc., 555 Pleasant St., Watertown, MA 02172  
 Great Bear Holding Co., II, c/o Coca-Cola Bottling Co., 1334 S. Central Avenue, Los Angeles, CA 90021  
 Great Bear Spring Company II, Great Bear Plaza, Rt. 46 & Hollister Rd., Teterboro, NJ 07608  
 Great Bear Spring Co., Great Bear Plaza, Rt. 46 & Hollister Rd. Teterboro, NJ 07608  
 Harman Automotive, Inc., P.O. Box 329, Bolivar, TN 38008  
 Harmon Automotive—Puerto Rico (Branch), State Road 2, P.O. Box 696, Vega Alta, Puerto Rico 00762  
 Hitchcock Products, Inc., 1001 13th Avenue, East, Bradenton, FL 33506  
 Industrial Glass Co., Inc., 1001 13th Avenue, East, Bradenton, FL 33506  
 International Container Corp., 1001 13th Avenue, East Bradenton, FL 33506  
 Kaaawa Farms, Ltd., 949 Mapunapuna Street, Honolulu, HI 96819  
 E. W. Kneip, Inc., P.O. Box 161, Forest Park, IL 60130  
 KSS Transportation Corp., c/o Webcraft, P.O. Box 185, Route 1 and Adams Station, North Brunswick, NJ 08902  
 LaChoy Food Products, P.O. Box 220, 901 Stryker Street, Archbold, OH 43502  
 Lorden, Inc., 463 South "I" Street, San Bernardino, CA 92410  
 LouverDrape, Inc., 1100 Colorado Avenue, Santa Monica, CA 90401  
 LouverDrape International, Inc., 1100 Colorado Avenue, Santa Monica, CA 90401  
 LouverDrape of New York, 141 E. 44th Street, Room 704, New York, NY 10017  
 Mantecados Payco, Inc., 113 Calle Bolivia, Box 908, San Juan, Puerto Rico 00919-0908  
 Mario's Food Products Company, 2440 Floyd Street, Louisville, KY 40217  
 Market Forge, 35 Garvey Street Everett, MA 02149  
 Marshalltown Coca-Cola Bottling Co., 1334 S. Central Avenue, Los Angeles, CA 90021  
 Marshalltown Distributing Co., 1334 S. Central Avenue, Los Angeles, CA 90021  
 Martha White Foods, Inc., P.O. Box 58, Room 900, 110 21st Avenue South, Nashville, TN 37202  
 Meadow Gold Products Corp., 400 Calvert Avenue, Alexandria, VA 22313

Meadow Gold Samoa, Ltd., P.O. Box 1360, Pago Pago, American Samoa 96799  
 Melamine Plastics, Inc., 501 N. Third Street, Winona, MN 55987  
 Melnor Industries, Inc., One Carol Place, Moonachie, NJ 07074  
 Mid-America Container Corporation, P.O. Box 500, Shawnee Mission, KS 66201  
 Minnesota Valley Engineering, 407 7th Street NW, New Prague, MN 56071  
 E. R. Moore Co., 7230 N. Caldwell Avenue, Niles, IL 60648  
 Mother's Cookie Co., P.O. Box 16159, 2287 Ralph Avenue, Louisville, KY 40216  
 National Packaging Corp., 1001 13th Avenue, East, Bradenton, FL 33506  
 Northeast Cold Storage Corp., 165 Read Street, Portland, ME 04104  
 Pepes Snacks, Inc., c/o Two N. LaSalle St., Chicago, IL 60602  
 Pepper Rendering Company, 903 Goodnight Trail, Houston, TX 77060  
 Plantation Enterprises, Ltd., 1001 13th Avenue, East, Bradenton, FL 33505  
 Poultry Foods Industries, Inc., P.O. Box C, Russellville, AR 72801  
 Progress Service, Inc., 1001 13th Avenue, East, Bradenton, FL 33505  
 Quality Beverages, Inc., 1334 S. Central Avenue, Los Angeles, CA 90021  
 Quincy Market Cold Storage and Warehouse Co., 555 Pleasant St., Watertown, MA 02172  
 Rainbo Foods, Inc., 5635 Powell Street, Harahan, LA 70123  
 Refreshment Vending Service Co., 1334 S. Central Avenue, Los Angeles, CA 90021  
 St. John's Inc., 130 Gunn St., Cadillac, MI 49601  
 Salem International Sales, Inc., c/o Two N. LaSalle St., Chicago, IL 60602  
 Samsonite Corporation, 11200 E. 45th Avenue, Denver, CO 80239  
 Samsonite Domestic International Sales Corp., 11200 E. 45th Avenue, Denver, CO 80239  
 Samsonite International Sales Corp., 11200 E. 45th Avenue, Denver, CO 80239  
 Sanna, Inc., 6501 Grand Teton Plaza, Madison, WI 53705  
 Sanitary Water Co., 3304 W. 5th Street, Ft. Worth, TX 76107  
 John Sexton & Co., 222 S. Riverside Plaza, Chicago, IL 60606  
 Skyline Dairy, Inc., 1300 Two Mile Drive, Kalispell, MT 59901  
 Taylor Freezer, Blackhawk Blvd., Rockton, IL 61072  
 Termicold Corporation, 1515 S. W. 5th Avenue, Portland, OR 97201  
 Tindle Mills, Inc., M.P.O. Box 733, 701 E. Chestnut, Springfield, MO 65801  
 Tropicana Feed Corporation, 1001 13th Avenue, East, Bradenton, FL 33505

Tropicana International, Ltd., 1001 13th Avenue, East, Bradenton, FL 33505  
 Tropicana of New York, Inc., c/o Citrus Bowl, 7-02 154th Street, P.O. Box 240, Whitestone, NY 11357  
 Tropicana Products Sales, Inc., 1001 13th Avenue, East, Bradenton, FL 33506  
 Tropicana Transportation Corp., 1001 13th Avenue, East, Bradenton, FL 33506  
 Tropicana Products, Inc., 1001 13th Avenue, East, Bradenton, FL 33506  
 Waterloo Industries, Inc., 300 Ansborough Avenue, Waterloo, IA 50704  
 Webcraft Games, Inc., Route 1 and Adams Station, North Brunswick, NJ 08902  
 Zero Transport, Inc., P.O. Box 22666, Tampa, FL 33622.

1. Parent corporation and address of principal office: Karler Packing Co., Inc. (a New Mexico corporation), P.O. Box 1005, Albuquerque, NM 87103.

2. Wholly owned subsidiary which will participate in the operations and State of incorporation: Karler Trucking, Inc. (a New Mexico corporation).

1. Parent corporation and address of principal office: Lucky Stores, Inc., a California corporation, 6300 Clark Avenue, Dublin, California 94566.

2. Wholly Owned Subsidiaries which will participate in the operations, and States of incorporation:

(a) Atherton Industries, Inc., a Delaware corporation, 6300 Clark Avenue, Dublin, California 94568.

(b) LKS Manufacturing, a California corporation, 6300 Clark Avenue, Dublin, California 94568.

(c) LKS Automotive, a California corporation, 6300 Clark Avenue, Dublin, California 94568.

(d) Hancock Textile Co., Inc., a Mississippi corporation, P.O. Box 1627, Tupelo, Mississippi 38801.

(e) LeGran Corporation, a California corporation, 6300 Clark Avenue, Dublin, California 94568.

(f) Lucky Stores, Inc., a Florida corporation, 6300 Clark Avenue, Dublin, California 94568.

(g) Eagle Stores, Inc., an Indiana corporation, 6300 Clark Avenue, Dublin, California 94568.

(h) T-Chem Products, a California corporation, 6300 Clark Avenue, Dublin, California 94568.

(i) Lucky Stores, Inc., a Nevada corporation, 6300 Clark Avenue, Dublin, California 94568.

(j) Valley Distributing Company, a Delaware corporation, 2540 N. 29th Avenue, Phoenix, Arizona 85009.

(k) Tanne Apparel, Inc., a Delaware corporation, 6300 Clark Avenue, Dublin, California 94568.

(l) Tanne Apparel, Inc., a New Jersey corporation, 6300 Clark Avenue, Dublin, California 94568.

(m) Cal-Pharm, Inc., a California corporation, 6300 Clark Avenue, Dublin, California 94568.

(n) Pharmco, Inc., a Nevada corporation, 6300 Clark Avenue, Dublin, California 94568.

(o) Discount Associates of Santa Ana, Inc., a California corporation, 6300 Clark Avenue, Dublin, California 94568.

(p) Checker Auto Parts, Inc., an Arizona corporation, 2540 N. 29th Avenue, Phoenix, Arizona 85009.

(q) Yellow Front Stores, an Arizona corporation 2540 N. 29th Avenue, Phoenix, Arizona 85009.

(r) Basics Transportation, Inc., a California corporation, 6300 Clark Avenue, Dublin, California 94568.

(s) Margie's, Inc., a Texas corporation, 6300 Clark Avenue, Dublin, California 94568.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-10733 Filed 4-21-83; 8:45 am]

BILLING CODE 7035-01-M

[Nos. 39148 and 39149]

**Motor Carriers; Interstate Contract Carrier Corp. and Stoops Express, Inc.; Petition for Exemption From Tariff Filing Requirements**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of provisional exemption.

**SUMMARY:** Two motor contract carriers have each requested exemption from the requirements of 49 U.S.C. 10702, 10761, and 10762. The sought relief is provisionally granted for future as well as existing contracts.

**DATES:** Comments are due on May 9, 1983. The sought relief will become final on May 24, unless, in response to timely filed adverse comments, the Commission issues a further decision withdrawing the relief.

**ADDRESS:** Send comments (original and 15 copies) to: Room 2139, Interstate Commerce Commission, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Gardner, (202) 275-0961  
Howell I. Sporn (202) 275-7691.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Commission's decision. To purchase a copy of the full decision contact:

T. S. InfoSystems, Inc., Room 2227, c/o Interstate Commerce Commission, 12th & Constitution Avenue NW., Washington, DC 20423

or telephone: (202) 289-4357 (D.C. Metropolitan area) (800) 424-5403 (toll free—outside the D.C. area).

Decided: April 14, 1983.

By the Commission, Division 2, Commissioners Gradison, Taylor, and Sterrett. Commissioner Taylor is assigned to this Division for the purpose of resolving tie votes. Since there was no tie in this matter, Commissioner Taylor did not participate.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-10727 Filed 4-21-83; 8:45 am]

BILLING CODE 7035-01-M

[No. 39132 et al.]<sup>1</sup>

**Motor Carriers; Milbank Freightways, Inc.; Petition for Exemption From Tariff Filing Requirements**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of provisional exemption.

**SUMMARY:** Eight motor contract carriers have each requested exemption from the tariff filing requirements of 49 U.S.C. 10702, 10761, and 10762. The sought relief is provisionally granted for future as well as existing contracts.

**DATES:** Comments are due on May 9, 1983. The sought relief will become final May 24, 1983, unless, in response to timely filed adverse comments, the Commission issues a further decision withdrawing this relief.

**ADDRESS:** Send an original and 15 copies of comments to: Room 2139, Interstate Commerce Commission, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Gardner, (202) 275-0961

or

Howell I. Sporn, (202) 275-7691.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T. S. Infosystems, Inc., Room 2227, Washington, DC 20423, or call 289-4357 in the DC metropolitan area or toll free (800) 424-5403.

Decided: April 14, 1983.

By the Commission, Division 2, Commissioners Gradison, Taylor, and Sterrett. Commissioner Taylor is assigned to this Division for the purpose of resolving tie

votes. Since there was no tie in this matter, Commissioner Taylor did not participate.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-10726 Filed 4-21-83; 8:45 am]

BILLING CODE 7035-01-M

**Motor Carriers; Permanent Authority Decisions; Decision-Notice**

*Motor Common and Contract Carriers of Property (fitness-only); Motor Common Carriers of Passengers (fitness-only); Motor Contract Carriers of Passengers; Property Brokers (other than household goods).* The following applications for motor common or contract carriage of property and for a broker of property (other than household goods) are governed by Subpart A of Part 1160 of the Commission's General Rules of Practice. See 49 CFR Part 1160, Subpart A, published in the *Federal Register* on November 1, 1982, at 47 FR 49583, which redesignated the regulations at 49 CFR 1100.251, published in the *Federal Register* on December 31, 1980. For compliance procedures, see 49 CFR 1160.19. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart B.

The following applications for motor common or contract carriage of passengers filed on or after November 19, 1982, are governed by Subpart D of the Commission's Rules of Practice. See 49 CFR Part 1160, Subpart D, published in the *Federal Register* on November 24, 1982, at 49 FR 53271. For compliance procedures, see 49 CFR 1160.86. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E.

These applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations.

Applicant's representative is required to mail a copy of an application, including all supporting evidence, within three days of a request and upon payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

**Findings**

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, or jurisdictional

<sup>1</sup> This proceeding embraces Nos. 39133 Barry Transfer & Storage Co., Inc., 39134 Ceco Transport, Inc., 39135 Allen Freight Lines, Inc., 39137 J.R.S. Leasing Charter, Inc., 39138 All-Freight Express, Inc., 39139 Amtrans, Inc., and 39140 Almac of Arizona, Inc.

questions) we find, preliminarily, that each applicant has demonstrated that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Agatha L. Mergenovich,  
Secretary.

**Note.**—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce, over irregular routes unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

**Please direct status inquiries to Team 2, (202) 275-7030.**

#### Volume No. OP2-174

Decided: April 12, 1983.

By the Commission, Review Board No. 2, members Carleton, Williams, and Ewing.

MC 134942 (Sub-3), filed March 31, 1983. Applicant: INTERSTATE LIMOUSINES LTD., 5309 Harford Rd., Baltimore, MD 21214. Representative: Steven L. Weiman, Suite 200, 444 N. Frederick Ave., Gaithersburg, MD 20877, 301-840-8565. Transporting *passengers*, in charter and special operations, between points in the U.S. (except HI). **Note:** Applicant seeks to provide

privately-funded charter and special transportation.

MC 167132, filed March 28, 1983. Applicant: MILTON Z. SASSER, d.b.a. SILVER SADDLE TRANSPORT, 745 E. Dunne Ave., P.O. Box 1495, Morgan Hill, CA 95037. Representative: Donna Carr, Rt. 8, Box 215, Yankima, WA 98908, 509-966-5724. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 167153, filed March 30, 1983. Applicant: BROOKS BUS SERVICE, INC., 17405 Croom Rd., Brandywine, MD 20613. Representative: Thomas E. Brooks (same address as applicant) 301-888-1112. Transporting *passengers*, in charter and special operations, between points in the U.S. (except AK and HI).

**Note.**—Applicant seeks to provide privately funded charter and special transportation.

MC 167163, filed March 28, 1983. Applicant: EASTERN CONNECTION, INC., 101 Tremont St., Suite 215-216, Boston, MA 02108. Representative: Robert R. Berluti, 1350 Main St., Walpole, MA 02081, 617-668-4774. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

MC 167193, filed April 1, 1983. Applicant: AIRPORT SERVICE, INC., 851 East Cerritos Ave., Anaheim, CA 92805. Representative: James H. Lyons, 523 West 6th St., Suite 1216, Los Angeles, CA 90014, 213-626-6451. Transporting *passengers*, in charter and special operations, beginning and ending at points in Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties, CA, and extending to points in the U.S. (except HI).

**Note.**—Applicant seeks to provide privately funded charter and special transportation.

MC 167203, filed April 1, 1983. Applicant: W AND A ENTERPRISES, INC., d.b.a. MOREHEAD & ASSOCIATES TRANSPORTATION SERVICES, P.O. Box 21402, 841 1/2 Winston St., Greensboro, NC 27420. Representative: J.G. Dail, Jr., P.O. Box LL, McLean, VA 22101, 703-893-3050. Transporting *passengers*, in charter and special operations, beginning and ending at points in NC, and extending to points in the U.S. (except HI).

**Note.**—Applicant seeks to provide privately-funded charter and special transportation.

#### Volume No. OP2-175

Decided: April 13, 1983.

By the Commission, Review Board No. 2, members Carleton, Williams, and Ewing.

MC 153(Sub-6), filed April 8, 1983. Applicant: SCHENCK TOURS, INC., 372 Jericho Turnpike, Floral Park, NY 11002. Representative: Morton L. Price, 1185 Ave. of the Americas, Rm. 3655, New York, NY 10036, 212-575-8150. Transporting *passengers*, in charter and special operation, between points in the U.S.

**Note.**—Applicant seeks to provide privately-funded charter and special transportation.

MC 2832(Sub-16), filed April 5, 1983. Applicant: THE KELLEY TRANSIT COMPANY INC., 30 Railroad Square, Torrington, CT 06790. Representative: Thomas A. Kelley, Jr. (same address as applicant) 203-489-9243. Transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

**Note.**—Applicant seeks to provide privately-funded charter and special transportation.

MC 146172(Sub-2), filed March 31, 1983. Applicant: UNIVERSAL COACHES, INC., 3833 Frenchmen St. New Orleans, LA 70122. Representative: Maxwell A. Howell, 2554 Massachusetts Ave., NW, Washington, DC 20008, 202-483-8633. Transporting *passengers*, in charter operations, between points in the U.S., under continuing contract(s) with Universal Travel Agency, Inc., of New Orleans, LA.

MC 150823(Sub-2), filed April 1, 1983. Applicant: DATA DISPATCH, INC., 850 Florida Ave. So. Minneapolis, MN 55426. Representative: Timothy H. Butler, 4200 IDS Center, 80 South 8th St., Minneapolis, MN 55402, 612-371-3211. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points, in MN, IA, ND, SD, WI, and IL.

MC 163092(Sub-1), filed April 4, 1983. Applicant: RAYMOND R. CHASE AND JANICE N. CHASE, d.b.a. R. CHASE TRUCKING CO., 2505 Stansberry Way, Sacramento, CA 95826. Representative: Raymond R. Chase (same address as applicant) 916-361-2438. Transporting *food and other edible products and byproducts, intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil*

conditioners by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 167272, filed April 6, 1983.  
Applicant: CHEETAH TRANSFER LTD, INC., 151 Route 206-Bldg 21, Suite 12, Flanders, NJ 07838. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904, 201-572-5551. As a broker of general commodities (except household goods), between points in the U.S.

For the following, please direct status calls to Team 4 at 202-275-7669.

Volume No. OP4-234

Decided: April 14, 1983.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 167276, filed April 7, 1983.  
Applicant: TERRENCE L. BOWERS AND EDWARD J. TAYLOR, d.b.a. BCT EQUIPMENT COMPANY, 5240 Comly St., Philadelphia, PA 19135. Representative: James W. Patterson, 1800 Penn Mutual Tower, 510 Walnut St., Philadelphia, PA 19106 (215) 925-8300. As a broker of general commodities (except household goods), between points in the U.S.

MC 167286, filed April 8, 1983.  
Applicant: O'KEEFE TRUCKING CO., INC., 216 Palisade Ave., Union City, NJ 07087. Representative: Harold L. Reckson, 33-28 Halsey Rd., Fair Lawn, NJ 07410 (201) 791-2270. As a broker of general commodities (except household goods), between points in the U.S.

MC 167307, filed April 8, 1983.  
Applicant: EMBREE BUSES, INC., 303 N. Allen Ave., Pasadena, CA 91106. Representative: Lawrence E. Lindeman, 4660 Kenmore Ave., Suite 1203, Alexandria, VA 22304 (703) 751-2441. Transporting passengers, in charter and special operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 167317, filed April 11, 1983.  
Applicant: D & M FREIGHT, INC., d.b.a. D & M TRANSPORT, 24578 Sunnymead Blvd., Unit F, Sunnymead, CA 92388. Representative: Roy Gray, P.O. Box 344, Bloomington, CA 92316 (714) 829-0765. As a broker of general commodities (except household goods), between points in the U.S. (except AK and HI).

[FR Doc. 83-10735 Filed 4-21-83; 8:45 am]

BILLING CODE 7035-01-M

#### Motor Carriers; Permanent Authority Decisions; Decision-Notice

Motor Common and Contract Carriers of Property (except fitness-only); Motor

Common Carriers of Passengers (public interest); Freight Forwarders; Water Carriers; Household Goods Brokers. The following applications for motor common or contract carriers of property, water carriage, freight forwarders, and household goods brokers are governed by Subpart A of Part 1160 of the Commission's General Rules of Practice. See 49 CFR Part 1160, Subpart A, published in the Federal Register on November 1, 1982, at 47 FR 49583, which redesignated the regulations at 49 CFR 1100.251, published in the Federal Register December 31, 1980. For compliance procedures, see 49 CFR 1160.19. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart B.

The following applications for motor common carriage of passengers, filed on or after November 19, 1982, are governed by Subpart D of 49 CFR Part 1160, published in the Federal Register on November 24, 1982 at 47 CFR 53271. For compliance procedures, see 49 CFR 1160.86. Carriers operating pursuant to an intrastate certificate also must comply with 49 U.S.C. 10922(c)(2)(E). Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E. In addition to fitness grounds, these applications may be opposed on the grounds that the transportation to be authorized is not consistent with the public interest.

Applicant's representative is required to mail a copy of an application, including all supporting evidence, within three days of a request and upon payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

#### Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations.

We make an additional preliminary finding with respect to each of the following types of applications as indicated: common carrier of property—that the service proposed will serve a useful public purpose, responsive to a

public demand or need; water common carrier—that the transportation to be provided under the certificate is or will be required by the public convenience and necessity; water contract carrier, motor carrier of property, freight forwarder, and household goods broker—that the transportation will be consistent with the public interest and the transportation policy of section 10101 of chapter 101 of Title 49 of the United States Code.

These presumptions shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Agatha L. Mergenovich,  
Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce, over irregular routes unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

Please direct status inquiries to Team 2, (202) 275-7030.

Volume No. OP2-176.

Decided: April 13, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 59583 (Sub-192), filed April 15, 1983. Applicant: THE MASON AND DIXON LINES, INCORPORATED, P.O. Box 989, Kingsport, TN 37662.



Representative: Kim D. Mann, Suite 1301, 1600 Wilson Blvd., Arlington VA 22209, 703-522-0900. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with Hills Department Stores, division of SCOA Industries, of Canton, MA.

MC 138512 (Sub-47) filed March 24, 1983. Applicant: ROLLAND'S TRANSPORTATION SERVICE, INC., P.O. Box 1000, 100 N. Waukegan Rd., Lake Bluff, IL 60044. Representative: Robert B. Walker, 915 Pennsylvania Bldg., 425-13th St. NW, Washington, DC 20004, 202-737-1030. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI). Condition: Issuance of a certificate in this proceeding is conditioned upon coincidental cancellation of permits in MC-138512 Subs 2, 8, 9, 12, 14, 15, 19, 21, 23, 27, 30, 31, 32, 34, 35, 39, 40, 41, 42, 43, 44, and 45, issued November 4, 1974, August 18, 1976, October 2, 1975, November 21, 1977, September 12, 1977, April 12, 1978, September 5, 1978, September 21, 1978 January 24, 1979, September 26, 1978, August 30, 1979, October 2, 1979, April 27, 1981, July 28, 1980, February 27, 1981, September 9, 1981, June 23, 1982, June 16, 1982, June 1, 1982, and March 1, 1983, respectively.

Note: The purpose of this application is to convert applicant's contract carrier authority to common carrier authority.

MC 139273 (Sub-8) filed April 8, 1983. Applicant: KINGS COUNTY TRUCK LINES, P.O. Box 1016, Tulare, CA 93275. Representative: B. J. Sparlin (same address as applicant) 209-686-2857. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of food and related products, between points in the U.S. (except AK and HI), under continuing contract(s) with California Citrus Producers, Inc., of Lindsay, CA, Cargill Citro-America, Inc., of Minneapolis, MN, Delano Growers Cooperative Winery, of Delano, CA, Juice Pak, Inc., of Richmond, CA, Knudsen Corporation, of Los Angeles, CA, Mulligan mMm Sales, Inc., of City of Industry, CA, Ralphs Grocery Company, of Compton, CA, Sunkist Growers, Inc., of Ontario, CA, and Vie-Del Company, of Fresno, CA. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a), submit an affidavit indicating why such approval is unnecessary, or file a petition seeking exemption under

49 U.S.C. § 11343(e) to the Secretary's Office. In order to expedite issuance of any authority, please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 2, Room 2379.

MC 147603 (Sub-3) filed April 8, 1983. Applicant: FROZEN XPRESS, INC., 18770 N.E. 6th Ave., Miami, FL 33179. Representative: Richard B. Austin, 320 Rochester Bldg., 8390 N.W. 53rd St. Miami, FL 33166, 305-592-0036. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Southern Frozen Foods, Division of Curtice-Burns, Inc., of Montezuma, GA.

MC 148412 (Sub-11) filed April 1, 1983. Applicant: GRIBBLE TRUCKING, INC., R.D. 3 Rockwood, PA 15557. Representative: George Gross Jr., 124 Lammert Dr., Glenshaw, PA 15116, 412-487-6533. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI).

#### Volume No. OP2-177

Decided: April 12, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

W-522 (Sub-20) filed April 1, 1983. Applicant: AMERICAN COMMERCIAL BARGE LINE COMPANY, 1701 East Market St., Jeffersonville, IN 47130. Representative: Paul M. Donovan, Suite 800 1120 G St. NW, Washington, DC 20005, 202-628-2788. To operate as a *contract carrier*, by water, in the transportation of *general commodities*, by non-self-propelled vessels with the use of separate towing vessels, by towing vessels in the performance of towage, and by furnishing vessels to persons other than carriers subject to the Interstate Commerce Act for the transportation of their own property, between points and ports along the Illinois Waterway, Mississippi River, Ohio River, Missouri River, Tennessee River, Cumberland River, Allegheny River, Monongahela River, Kanawha River, Arkansas-Verdigris Waterway, Gulf Intracoastal Waterway and all their respective tributaries and connecting ship channels.

FF-682, filed March 31, 1983. Applicant: DISPATCH FORWARDING CO., P.O. Box 68, Augusta, NJ 07822. Representative: Charles Biter (same address as applicant) 201-383-6565. As a freight Forwarder, in connection with the transportation of *general commodities*, between points in the U.S. (except AK and HI).

MC 32122 (Sub-13), filed March 28, 1983. Applicant: PAZEN TRANSFER LINE, INC., P.O. Box 243, Waukau, WI 54980. Representative: Edward J. Gerrity, P.O. Box 914, Appleton, WI 54912, 414-734-5608. Transporting *metal products*, between points in Outagamie County, WI, points in CT, DE, IL, IN, KY, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, VT, VA, AND DC.

MC 103602 (Sub-15), filed March 28, 1983. Applicant: SKJONSBY TRUCK LINE, INC., 1617 1st Ave. No., Unit A, P.O. Box 362, Fargo, ND 58107. Representative: Richard P. Anderson, Federal Square, 112 Roberts St., P.O. Box 2581, Fargo, ND 58108, 701-235-3300. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with Gage Brothers Concrete Products, Inc., Of Sioux Falls, SD.

MC 108473 (Sub-65), filed April 6, 1983. Applicant: ST. JOHNSBURY TRUCKING COMPANY, INC., 87 Jeffrey Ave., Holliston, MA 01746. Representative: Harry J. Jordan, Suite 200-1090 Vermont Ave. NW, Washington, DC 20005, 202-783-8131. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Scott Paper Company, of Philadelphia, PA.

MC 121493 (Sub-3), filed April 1, 1983. Applicant: JACK FREEMAN TRUCKING CO., INC., 4948 S. Western Ave., Chicago, IL 60609. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602, 312-726-6525. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in IA, IL, IN, KS, KY, MI, MN, MO, NE, ND, OH, SD, and WI.

MC 125813 (Sub-28), filed March 28, 1983. Applicant: CRESSLER TRUCKING, INC. 691 Orrstown Rd., Shippensburg, PA 17257. Representative: Lawrence E. Lindeman, 4660 Kenmore Ave., Suite 1203, Alexandria, VA 22304, 703-751-2441. Transporting *general commodities* (except classes A and B explosives, and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with (a) Baumgardner Oil Company, Inc., of Fayetteville, PA and (b) Lube Tech, of Shippensburg, PA.

\* MC 129573 (Sub-5), filed March 28, 1983. Applicant: THIBODEAU-FINCH EXPRESS LIMITED, 3049 Devon Drive, P.O. Box 2430, Windsor, Ontario,



Canada N8Y 4S4. Representative: Robert D. Schuler, 100 W. Long Lake Rd., Suite 102, Bloomfield Hills, MI 48013, 313-645-9600. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk) (1) between ports of entry on the international boundary line between the U.S. and Canada on the St. Clair River in MI, on the one hand, and, on the other, points in St. Clair County, MI, and (2) Between ports of entry on the international boundary line between the U.S. and Canada on the Niagara and St. Lawrence Rivers in NY, on the one hand, and, on the other, points in Erie, Niagara, Jefferson, and St. Lawrence Counties, NY.

MC 143433 (Sub-21), filed March 25, 1983. Applicant: B.L. Gilbert, d.b.a. GILBERT TRUCKING COMPANY, 310 South 1st Ave. Stroud, OK 74079. Representative: Greg E. Summy, 208 Century Center Plaza, 100 West Main St., Oklahoma City, OK 73102, 405-235-3661. Transporting *general commodities* (except classes A and B explosives), between points in KS, MO, TX, WI, and WY, on the one hand, and, on the other, points in AL, AR, CO, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, NE, NM, NY, OH, PA, TN, TX, WV, and WY.

MC 143503 (Sub-41), filed April 6, 1983. Applicant: MERCHANTS HOME DELIVERY SERVICE, INC. P.O. Box 5067, Oxnard, CA 93030. Representative: David B. Schneider, 210 West Park Ave., Suite 1120, Oklahoma City, OK 73102, 405-232-9990. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Sears, Roebuck and Company, Inc., of Shreveport, LA.

MC 144173 (Sub-6), filed March 24, 1983. Applicant: PETERSON TRANSPORTATION, INC., P.O. Box 96, Highway 136, Ruskin, NE 68974. Representative: Lavern R. Holdeman, 1610 South 70th, Suite 200, Lincoln, NE 68506, 402-488-0985. Transporting (1) *petroleum products* and (2) *Such commodities* as are used or dealt in by agricultural supply business houses, between points in CO, NE, and KS.

MC 145423 (Sub-9), filed March 24, 1983. Applicant: C. VAN BOXELL TRANSPORTATION, INC., 763 South Oakwood, Detroit, MI 48217. Representative: William B. Elmer, P.O. Box 801, Traverse City, MI 49685-0801, 616-941-5313. Transporting (1) *chemicals and related products* and (2) *building materials*, between Detroit, MI, on the one hand, and, on the other, points in MN, NC, TN, VA, and WV.

MC 151703 (Sub-12), filed March 14, 1983. Applicant: NORSUB, INC., R.D. #1, Box 317, Evans City, PA 16033. Representative: John A. Pillar, 1500 Bank Tower, 307 Fourth Ave., Pittsburgh, PA 15222, 412-471-3300. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI).

MC 166873, filed March 18, 1983. Applicant: DAV-RICK TRANSPORTATION, INC., 83 Kean St., West Babylon, NY 11704. Representative: Ronald I. Shapss, 450 Seventh Ave., New York, NY 10123, 212-239-4610. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Dav-Rick Freight, Inc., of West Babylon, NY.

MC 167053, filed April 6, 1983. Applicant: LARRY VAN HOY, d.b.a. L. VAN HOY TRUCKING, P.O. Box 133, Rufus, OR 97050. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210, 503-226-3755. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Superior Transportation Systems, Inc., of Wilsonville, OR.

MC 167192, filed April 1, 1983. Applicant: WILLIAM D. CLEMENT, d.b.a. CLEMENT TRUCKING, 544 South 51st Place, Springfield, OR 97477. Representative: William D. Clement (same address as applicant), 503-726-6401. Transporting *metal products, lumber and lumber mill products, and building materials*, between points in the U.S. (except AK and HI).

MC 167212, filed April 4, 1983. Applicant: EL TORO MOTOR FREIGHT, INC., 155 South Hemlock St., Ventura, CA 93001. Representative: David Robinson, 2228 West Northern Ave.—Suite B-201, Phoenix, AZ 85021, 602-864-0999. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 167213, filed April 4, 1983. Applicant: RALPH L. HACKLER, d.b.a. HACKLER TRUCKING CO., 17104 Evna Rd., Parkton, MD 21120. Representative: Ralph L. Hackler (same address as applicant), 301-357-8910. Transporting *metal products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Novelty Manufacturing Co., of Lancaster, PA.

MC 167242, filed April 5, 1983. Applicant: HARRY CRAWFORD & SONS, INC., d.b.a. TIMBERLAND TRUCKING CO., Box 416, East Millinocket, ME 04430. Representative: Harry J. Crawford, Box. 38, Reed Plantation, ME 04497, 207-746-9394. Transporting *paper and paper products*, between points in the U.S. (except AK and HI).

MC 167243, filed April 5, 1983. Applicant: STOW & DAVIS FURNITURE COMPANY, 25 Summer Ave. NW, Grand Rapids, MI 49504. Representative: Sylvia Van Dyke (same address as applicant), 616-456-9881. Transporting *lumber and wood products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Arrow Door Company, of Grand Rapids, MI.

For the following, please direct status calls to Team 3 at 202-275-5223.

Volume No. OP3-165

Decided: April 15, 1983.

By the Commission, Review Board No. 3, members Krock, Joyce, and Dowell.

MC 15735 (Sub-78), filed March 29, 1983. Applicant: ALLIED VAN LINES, INC., 2120 S. 25th Ave., Broadview, IL 60153. Representative: Richard V. Merrill, P.O. Box 4403, Chicago, IL 60680, (312) 681-8378. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S., under continuing contract(s) with Motorola, Inc. and its subsidiaries of Schaumburg, IL.

MC 44605 (Sub-62), filed March 29, 1983. Applicant: MILNE TRUCK LINES, INC., 2500 W. California Ave., Salt Lake City, UT 84104. Representative: George W. Selby, Jr., 1090 Vermont Ave., N.W., Suite 200, Washington, D. C. 20005, (202) 783-8131. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with Rohm and Haas Company of Philadelphia, PA.

MC 139205 (Sub-5), filed March 28, 1983. Applicant: DOLPHIN CARTAGE, INC., 5274 S. Archer Ave., Chicago, IL 60632. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602, (312) 726-6525. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the IL, IN, MI, and WI under continuing contract(s) with Owens-Illinois, of Chicago, IL.

MC 143484 (Sub-2), filed March 29, 1983. Applicant: GLENN'S DELIVERY SERVICE, INC., 211 St. Mihiel Dr., Riverside, NJ 08075. Representative: James W. Patterson, 1800 Penn Mutual Tower, 510 Walnut St., Philadelphia, PA 19106, (215) 925-8300. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in CT, DE, MA, NJ, NY, NC, OH, PA, RI, VA, WV and DC.

MC 152794 (Sub-2), filed March 29, 1983. Applicant: OREGON FREIGHTWAYS, INC., 15 Stewart Ave. (P.O. Box 4157), Medford, OR 97501. Representative: Michael S. Rubin, c/o 100 Bush St., Suite 410, San Francisco, CA 94104, (415) 421-6743. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk); between points in CA, OR, WA, ID, NV, AZ, NM, CO, UT, WY, and MT.

MC 154694 (Sub-1), filed March 28, 1983. Applicant: BLACK DIAMOND TRUCKING, DIVISION OF C/C CHEMICAL & COAL CO., 3177 Maria Dr., Lexington, KY 40516. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215, (614) 228-1541. Transporting *commodities in bulk*, between points in IN, KY, and OH.

MC 157674 (Sub-1), filed March 25, 1983. Applicant: T D EXPRESS, INC., 2434—52nd Ave., Court, Greeley, CO 80634. Representative: Charles M. Williams, McCullough Building, 1750 Gilpin St., Denver, CO 80218, (303) 333-3774. Transporting *general commodities* (except classes A and B explosives, commodities in bulk and household goods), between points in the U.S. (except AK and HI), under a continuing contract(s) with Monfort of Colorado, Inc., its divisions, affiliates and subsidiaries.

MC 157754 (Sub-1), filed March 28, 1983. Applicant: McNEECE BROS. OIL COMPANY, INC., P.O. Box 1280, El Centro, CA 92243. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014, (619) 352-4721. Transporting *petroleum, natural gas and their products*, between point in CA and AZ.

MC 158925 (Sub-1), filed March 28, 1983. Applicant: DENNIS M. HAIDER, d.b.a. DENNIS HAIDER TRUCKING, Mahanomen, MN 56557. Representative: Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108, (701) 237-4223. Transporting *petroleum, natural gas and their products, and chemicals and related products*, between points in MN and ND.

MC 165905, filed March 28, 1983. Applicant: R & R TRUCKING, LTD., 207 South Union Street, Loyal, WI 54446. Representative: Richard A. Westley, 4506 Regent Street, Suite 100, P.O. Box 5086, Madison, WI 53705-0086, (608) 238-3119. Transporting (1) *food and related products*, and (2) *general commodities*, between points in the U.S. (except AK and HI), under continuing contract(s) in (1) with John Wuethrich Creamery Company, Inc., of Greenwood, WI, and in (2) with Smith Feed Service, Inc., of Loyal, WI.

MC 167034, filed March 28, 1983. Applicant: JA-MARC TRANSPORT, INC., 2117 Knollwood Dr., Findlay, OH 45840. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215, (614) 228-1541. Transporting *commodities in bulk*, between points in IN, OH, and PA, on the one hand, and, on the other, points in IN, OH, PA, KY, WV, MD, TN, MI, IL, WI, MO, and KS.

MC 167064, filed March 28, 1983. Applicant: PACIFIC MESSENGER SERVICE, INC., 840 Eleventh Avenue, San Diego, CA 92101. Representative: Wyman C. Knapp, Suite 1240, ManuLife Plaza, 515 South Figueroa Street, Los Angeles, CA 90071, (213) 627-8471. Transporting *general commodities* (except household goods, classes A and B explosives, and commodities in bulk), between points in the U.S., under continuing contract(s) with Chanslor and Lyon Co., Inc., MacPherson Leather Corp., Electrical Supply Distributing, Inc., and Ultra Drug Co., Inc., all of San Diego, CA.

MC 167114, filed March 28, 1983. Applicant: CHARLES DANIELS, d.b.a. DANIELS TRUCKING SERVICE, 533 N. 1st St., Carrington, ND 58421. Representative: Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108, (701) 237-4223. Transporting *building materials and metal products*, between points in IL, MN, ND, and WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 167134, filed March 29, 1983. Applicant: THE FAMILY EXPRESS, INC., P.O. Box 956, Ceres, CA 95307. Representative: Arden Riess, P.O. Box 7965, Stockton, CA 95207, (209) 957-6128. Transporting *food and related products*, between points in CA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 167144, filed March 29, 1983. Applicant: RAYMOND MILLER, d.b.a. MILLER TRUCKING COMPANY, P.O. Box 656, Sheffield, PA 16347. Representative: Michael C. Foley, Bankers Trust Building—4th Fl., Jamestown, NY 14701, (716) 664-5210. Transporting *furniture and fixtures*,

*lumber and wood products, and metal products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Werzalit of America, Inc. of Bradford, PA.

For the following, please direct status calls to Team 4 at 202-275-7669.

Volume No. OP4-233

Decided: April 14, 1983.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 167296, filed April 8, 1983. Applicant: TRANS-EAST CORP., 1530 Palisade Ave., Fort Lee, NJ 07024. Representative: Michael R. Werner, 241 Cedar Lane, Teaneck, NJ 07666, (201) 836-1144. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in VT, NH, ME, MA, RI, CT, NJ, NY, PA, DE, MD, OH, VA, WV, and DC.

MC 3647 (Sub-471), filed April 6, 1983. Applicant: NJ TRANSIT BUS OPERATIONS, INC., 180 Boyden Ave., Maplewood, NJ 07040. Representative: Irwin I. Kimmelman, P.O. Box 10009, McCarter Hwy and Market St., Newark, NJ 07101, (201) 648-6908. Over regular routes, transporting *passengers*, (1) Between points in Fair Lawn, NJ: From junction Saddle River Rd. and Fair Lawn Ave., then over Fair Lawn Ave. to junction Plaza Rd., serving all intermediate points; (2) Between points in Paterson, NJ: (a) From junction East Thirty-third St. and Eleventh Ave., then over Eleventh Ave. to junction Madison Ave., then over Madison Ave. to junction Broadway, then over Broadway to Memorial Dr., then over Memorial Dr. to junction Market St., then over Market St. to junction Main St., then over Main St. to junction Van Houten St., then over Van Houten St. to junction at Curtis Place and return over Curtis Place to junction Ellison St., then over Ellison St. to junction Memorial Dr., then over Memorial Dr. to junction Broadway, then over Broadway to junction Madison Ave., then over Madison Ave. to junction Eleventh Ave., then over Eleventh Ave. to junction East Thirty-third St., (b) From junction Church St. and Broadway, then over Broadway to junction Main St., (c) From junction Curtis Place and Broadway, then over Broadway to junction Main St., then over Main St. to junction Oliver St., serving all intermediate points in (a), (b), and (c) above. (3) Between points in Rutherford, NJ: From junction Union Ave. and Chestnut St., then over Chestnut St. to junction Ames Ave., then over Ames Ave. to junction Orient Way, serving all intermediate points.

**Note.**—Applicant intends to tack the above authority to its present authorized operations and seeks to provide regular route service in interstate or foreign commerce.

MC 148047 (Sub-2), filed April 11, 1983. Applicant: FLOORCO TRUCKING COMPANY, INC., 8507 Brownsboro Rd., Louisville, KY 40222. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202, (502) 589-5400. Transporting (1) *such commodities as are dealt in or used by manufacturers and distributors of floor coverings*, between points in AR, GA, NC and SC, on the one hand, and, on the other, points in IN, KY and OH, and (2) *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in IN and KY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 150017 (Sub-7), filed April 11, 1983. Applicant: DELICIOUS FOODS CARRIERS, INC., 2629 N. Broadwell, Grand Island, NE 68801. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501-2028, (402) 475-8761. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Platte County, NE, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 151637 (Sub-5), filed April 8, 1983. Applicant: LARRY BREEDEN TRUCKING, INC., 1301 Fayetteville Rd., Van Buren, AR 72956. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72702, (501) 521-8121. Transporting *such commodities as are dealt in or used by chain and retail stores*, between points in the U.S. (except AK and HI).

MC 151996 (Sub-4), filed April 11, 1983. Applicant: M & S TRANSPORTATION, INC., Rt. 1, Box 88C, N. Little Rock, AR 72119. Representative: James M. Duckett, Suite 411, 221 W. 2nd, (501) 375-3022. Transporting *food and related products*, between points in Jefferson County, CO, on the one hand, and, on the other, points in NC, SC, FL, GA, AL, VA, and DC.

MC 152546 (Sub-2), filed April 7, 1983. Applicant: GRIMM TRANSPORT CO., 1801 Morton Ave., Morton, IL 61550. Representative: Robert T. Lawley, 300 Reich Bldg., Springfield, IL 62701, (217) 544-5468. Transporting (1) *alcohol* (a) between points in AR, IA, IL, IN, KS, KY, MI, MN, MO, NE, OH, SD, TN, and WI, and (b) between points in Tazewell County, IL, on the one hand, and, on the other, those points in the U.S. in and east of MT, WY, CO, and NM, and (2)

*petroleum products*, between points in IL, IN, IA, MN, MO, and WI.

MC 156037 (Sub-1), filed April 4, 1983. Applicant: WILLIAM FOX TRUCKING, INC., 7800 SW 71st Ave., Portland, OR 97223. Representative: Lawrence V. Smart, Jr., 419 NW 23rd Ave., Portland, OR 97210, (503) 226-3755. Transporting *lumber and wood products*, between points in OR, WA, ID, CA, and NV.

MC 157186 (Sub-3), filed April 7, 1983. Applicant: U.S. TRANSPORT, INC., 14307 Still Meadow, Houston, TX 77079. Representative: Robert J. Birnbaum, 3636 Executive Center Dr., Suite 151, Austin, TX 78731, (512) 346-4800. Transporting *Mercer commodities*, between points in TX, on the one hand, and, on the other, points in the U.S. (except HI).

MC 159606 (Sub-2), filed April 11, 1983. Applicant: RANDALL DIST., INC., 691 N. 1800 E., St. George, UT 84770. Representative: Earl N. Miles, 3704 Candlewood Dr., Bakersfield, CA 93306, (805) 872-1106. Transporting *such commodities as are dealt in or used by manufacturers of paper, paper products, plastic, and plastic products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Lily-Tulip, Inc., of Toledo, OH.

MC 164166, filed April 7, 1983. Applicant: A & S TRUCKING SERVICE, INC., 50 Scott Adam Rd., Suite 2D, Cockeysville, MD 21030. Representative: William D. Schmidt, 106 Aylesbury Rd., Timonium, MD 21093, (301) 667-4391. Transporting *general commodities* (except household goods, classes A and B explosives, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Noxell Corporation, of Baltimore, MD and Fillmore Brokers, Inc., of Baldwin, MD.

MC 164647, filed April 7, 1983. Applicant: BILLY JANSEN, Route 1, Joaquin, TX 75954. Representative: Willis V. Lewis, 200 Arch St., Little Rock, AR 72201, (501) 475-4671. Transporting *iron and steel articles*, between Houston, TX and Little Rock, AR, under continuing contract(s) with Halbert Pipe and Steel Co., Inc., of North Little Rock, AR.

MC 166706, filed April 7, 1983. Applicant: ASAP LINES, INC., 2735 Spring Grove Ave., Cincinnati, OH 45052. Representative: Charles J. Postow, 2100 Central Trust Center, 201 E. Fifth St., Cincinnati, OH 45202, (513) 621-2120. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in OH, MI, WI, IN, IL, KY, TN, MS, LA, TX, AL, GA, FL, SC, NC, VA, WV, PA, MD

NJ, NY, CT, RI, MA, NH, DE, ME, VT, and DC.

MC 166946, (Sub-1), filed April 11, 1983. Applicant: PAUL E. BITTING, d.b.a. TRANSPORTATION SERVICES, 10 Bellview Rd., Marysville, PA 17053. Representative: Jack L. Schiller, 111-56 76th Dr., Forest Hills, NY 11375, (212) 263-2078. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with The Ulmann Company-Standard Milling Division, of Highspire, PA.

MC 166976, filed April 7, 1983. Applicant: RONALD H. SPERBERG, d.b.a. R & S TRUCKING, 2409 Woodington Way, Tittle Suamico, WI 54141. Representative: Richard A. Westley, 4506 Regent St., Suite 100, P. O. Box 5086, Madison, WI 53705, (608) 238-3119. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Lov-It Creamery, Inc., of Green Bay, WI..

(FR Doc. 83-10736 Filed 7-21-83 8:45 am)

BILLING CODE 7035-01-M

## Motor Carriers; Finance Applications; Decision Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

### We find:

Each transaction is exempt from section 11343 of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsideration; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1181.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 20 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

*It is ordered:*

The following applications are approved, subject to the conditions stated in the publication, and further subject to the administrative requirements stated in the effective notice to be issued hereafter.

Agatha L. Mergenovich,  
Secretary.

Please direct status inquiries to Team 2,  
(202) 275-7251.

*Volume No. OP2-FC-178*

By Commission, Review Board No. 2,  
Members Carleton, Ewing, and Williams.

MC-FC-81327. By decision of April 15, 1983, issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1181, Review Board Number 2, approved the transfer to KENNETH W. KNIGHT d/b/a KNIGHT TRUCKING, Detroit, AL, of authority issued to LEMAN KNIGHT d/b/a PETE KNIGHT TRUCKING COMPANY, Detroit, AL, in Certificate MC-14073, issued August 31, 1976, authorizing the transportation of stone, in dump vehicles, from points in Bibb, Colbert, Franklin, Jefferson, and Shelby Counties, AL, to points in MS, with no transportation for compensation on return except as otherwise authorized; Permit MC-127728, issued December 9, 1969, authorizing the transportation of fertilizer and fertilizer materials, dry, in bulk, or in packages, from the plant site of International Minerals & Chemical Corporation, Florence, AL, to points in MS, and returned shipments of the above-described commodities, from points in MS, to the plant site of International Minerals & Chemical Corporation, Florence, AL, fertilizer and fertilizer material, dry, in bulk, in dump vehicles, and in packages, from the plant site of International Minerals & Chemical Corporation, Tupelo, MS, to the plant site of International Minerals & Chemical Corporation, Florence, AL, and returned shipments of the immediately above-specified commodities, from the plant site of International Minerals & Chemical Corporation, Florence, AL, to the plant site of International Minerals & Chemical Corporation, Tupelo, MS. Restriction: The operations authorized above are limited to a transportation service to be performed under a continuing contract, or contracts, with International Minerals & Chemical Corporation, of Skokie, IL; Sub-2, issued

February 3, 1971, authorizing the transportation of lumber, from McShan, AL, to points in MS, AR, LA, TX, OK, KS, MO, IA, MN, WI, IL, IN, KY, TN, MI, OH, WV, NC, SC, and GA, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts with McShan Lumber Company, Inc., of McShan, AL; Sub-3, issued September 16, 1976, authorizing the transportation of lumber and lumber products (except in bulk), from the facilities of the Leo Owsley Company, at or near Millport, AL, to points in AR, GA, IL, IN, IA, KY, LA, MI, MS, MO, NC, OH, OK, SC, and TN, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts, with Leo Owsley and Johnny L. Osley, d/b/a Leo Owsley Company, of Millport, AL; and sub-4, issued October 17, 1980, authorizing the transportation of lumber, from Jasper and Double Springs, AL, to points in AR, FL, GA, IL, IN, IA, KS, KY, LA, MI, MN, MO, MS, NE, NY, NC, OH, PA, SC, TN, TX, VA, WV, and WI, restricted to a transportation service to be performed under continuing contract(s) with TMA Forest Products, Division of Tennessee River Pulp and Paper Company, of Counce, TN. Representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS, 39205.

For the following, please direct status calls to Team 4 at 202-275-7669.

*Volume No. OP4-FC-231*

By the Commission, Review Board No. 3,  
Members Krock, Joyce, and Dowell.

MC-FC-81380. By decision of April 14, 1983 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1181 and 1045.11, Review Board Number 3 approved the transfer to INTERSYNC TRANSPORTATION, INC., of Portland, OR, of License No. MC-161056, Certificate No. MC-161056 (Sub-No. 1), and Permit No. MC-161056 (Sub-No. 2), issued November 8, 1982, December 8, 1982, and February 15, 1983 respectively, to American Highways, Inc., of West Valley City, UT. MC-161056 authorizing the transportation as a broker of *general commodities* (except household goods), between points in the U.S.; MC-161056 (Sub-No 1) of (1) *lumber and wood products, metal and metal products, and building materials*, (a) between points in AZ, CA, CO, ID, MT, NV, OR, UT, WA, and WY, and (b) between points in CA,

ID, MT, OR, and WA, on the one hand, and, on the other, points in IL, IA, KS, MN, MO, NE, NM, ND, OK, SD, TX, and WI; and (2) *minerals and chemicals*, (a) between points in CO, ID, IA, KS, MO, NE, NM, OK, OR, and TX, and (b) between points in ID, OR and WA, on the one hand, and, on the other, points in AZ, CA, ID, MT, NV, OR, UT, WA, and WY; and MC-161056 (Sub-No. 2) of (1) *general commodities* (except classes A and B explosives and household goods), between points in the U.S., under continuing contract(s) with Menard, Inc., of Eau Claire, WI; and (2)(a) transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions); and (b) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701. (208) 343-3071.

MC-FC-81386, filed April 8, 1983. By decision of April 14, 1983, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1181, Review Board Number 3 approved the transfer to DENNIS, INC., of Lincoln, NE, of Permit Nos. MC-143286 and (Sub-Nos. 2, 3, and 4), issued July 3, 1978, September 10, 1980, September 10, 1980, and December 4, 1981, respectively, to Raymond R. Wittrock, Inc., of Waverly, NE, MC-143286 authorizing the transportation of (a) *cranes, crane parts, and crane accessories*, from Waverly, NE, to points in the U.S. (except AK, HI and NE), and (b) *materials, equipment and supplies* used in the manufacture, production, and distribution of the commodities named in (a) above (except commodities in bulk, in tank vehicles), from points in the United States (except AK, HI and NE), to Waverly, NE, under continuing contract(s) with National Crane Corporation, of Waverly, NE; Sub 2 of *lumber*, from points in CA, OR and WA, to the facilities of Hughes Brothers, Inc., at Seward, NE, under continuing contract(s) with Hughes Brothers, Inc., of Seward, NE; Sub 3 of *cranes and crane equipment*, from Houston, TX, and Portland, OR, to points in LA and TX, under continuing contract(s) with Cranes of Houston, Inc., Houston, TX; and Sub 4 of *machinery*, between points in the U.S., under continuing contract(s) with Manlift, Inc., of Selma, CA. An application for temporary authority has been filed. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. (402) 475-6761, for both transferee and transferor.

## Volume No. OP4-C-235

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC-FC-81362, filed April 4, 1983. By decision of April 15, 1983, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1181, Review Board Number 3 approved the transfer to C.O.D. LEASING, INC., of Denver, CO, of Certificate No. MC-34227 (Sub-No. 27), issued September 18, 1982, and Permit No. MC-34227 (Sub-Nos. 9, 11, 12, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, and 28), issued September 19, 1972, June 27, 1974, February 9, 1976, October 31, 1979, November 5, 1979, December 4, 1979, May 12, 1980, September 8, 1980, January 9, 1981, May 13, 1981, June 10, 1981, May 5, 1982, December 10, 1981, and November 10, 1982, respectively, to PACIFIC INLAND TRANSPORTATION CO., of Aurora, CO, authorizing the transportation of: in Certificate No. MC-34227 (Sub-No. 27, *such commodities* as are dealt in by construction and home improvement centers, between Toledo, OH, Colorado Springs, CO, and points in Crawford County, AR, on the one hand, and, on the other, points in the U.S. (except AK and HI); in Permit No. MC-34227; Sub-9, (a) *suitcases, travel bags, brief cases, and carrying cases*, and (b) *materials and supplies* used in the repair and distribution of the commodities named in (a) above, from Denver, CO, to points in GA, under continuing contract(s) with Samsonite Corporation, of Denver, CO; Sub-11, *chairs, tables, display racks, knee rests, chaise lounges, sofas, toy trucks, serving carts, and gymnasium apparatus*, from the plant site of Samsonite Corporation, at or near Murfreesboro, TN, to points in CO, NM, WY, MT, ID, UT, AZ, CA, NV, OR, and WA, under continuing contract(s) with Samsonite Corporation, of Denver, CO; Sub-12, (a) *suitcases, travel bags, briefcases, and carrying cases*, from Denver, CO, to points in AL, FL, MS, NC, and SC, and (b) *materials and supplies* used in the repair, display and distribution of the commodities in (a) above, from Columbus, MS, to Denver, CO, under continuing contract(s) in (a) and (b) with Samsonite Corporation, of Denver, CO; Sub-16, *new furniture*, from the facilities of Samsonite Corporation, at or near Ft. Smith, AR, to points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA, and WY, under continuing contract(s) with Samsonite Corporation, of Denver, CO; Sub-17, *paper and paper products*, from the facilities of Simpson Paper Company, at or near Anderson and Ripon, CA, to points in AZ, CO, NV, UT, and WY, under continuing contract (s)

with Simpson Paper Company, of Anderson, CA; Sub-18, (a) *suitcases, travel bags, brief cases, and carrying cases*, from Denver, CO, to points in the U.S. (except AK and HI), and (b) *materials and supplies* used in the manufacture, repair, and distribution of the commodities in (a) above, in the reverse direction, under continuing contract(s) in (a) and (b) with Samsonite Corporation, of Denver, CO; Sub-19, *paper and paper products*, from the facilities of Simpson Paper Company, at or near Pomona, CA, to points in AZ, CO, NV, NM, TX, UT, and WY, under continuing contract(s) with Simpson Paper Company, of Anderson, CA; Sub-21, (a) *suitcases, travel bags, brief cases and carrying cases*, from Nogales, AZ, and El Paso, TX, to Denver, CO, and (b) *materials and supplies* used in the manufacture, repair, display and distribution of the commodities in (a) above, from Denver, CO, to Nogales and Tucson, AZ, and El Paso, TX, under continuing contract(s) with Samsonite Corporation, of Denver, CO; Sub-22, *such commodities* as are dealt in or used by manufacturers and distributors of industrial cleaners, weed killers and insecticides (except in bulk), between points in the U.S., under continuing contract(s) with Oxford Chemicals, Inc., of Atlanta, GA; Sub-23, *pulp, paper and related products*, between points in the U.S. under continuing contract(s) with Universal Paper Goods Company, of Los Angeles, CA; Sub-24, *such commodities* as are dealt in or used by manufacturers of infant carriers, between points in the U.S., under continuing contract(s) with Gerico, Inc., of Thornton, CO; Sub-25, *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with Ralston Purina Co., of St. Louis, MO; Sub-26, *printed advertising materials*, between points in the U.S., under continuing contract(s) with Simon Marketing, Inc., of Atlanta, GA; and Sub-28, *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Simon Marketing, Inc., Of Atlanta, GA. An application for temporary has been filed. Representative: John T. Wirth, 717 17th St., Suite 2600, Denver, CO 80202-3357, (303) 892-6700, for transferee and transferor.

[FR Doc. 83-10734 Filed 4-21-83; 8:45 am]

BILLING CODE 7035-01-M

## [No. MC-C-10850]

**Motor Carriers; Parker Motor Freight, Inc., and Hare Cartage, Inc., Single State Traffic, Petition for Declaratory Order**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of filing of petition for a declaratory order.

**SUMMARY:** By petition filed March 21, 1983, Parker Motor Freight, Inc., and Hare Cartage, Inc., seek a declaratory order determining whether traffic handled by Parker from a Michigan origin to a consolidator at Detroit, MI (Hare) for movement beyond Michigan in either for-hire carriage or private carriage is interstate in nature or in intrastate commerce. At the time the traffic originates in Michigan it is not known whether it will move beyond that State in private or for-hire carriage.

**DATE:** Written comments are due within 30 days of the date of publication of this notice in the Federal Register.

**ADDRESSES:** Send an original and eight copies of comments to: MC-C-10850, Room 2139, Office of Proceedings, Interstate Commerce Commission, Washington, DC 20423.

Send one copy of comments to petitioners' representatives:

Ronald J. Mastej, 900 Guardian Bldg., Detroit, MI 48226,

and

Alex J. Miller, 555 S. Woodward, Suite 512, Birmingham, MI 48011

**FOR FURTHER INFORMATION CONTACT:**

William K. Blakemore, (202) 275-6160

or

Howell Sporn, (202) 275-7691

**SUPPLEMENTARY INFORMATION:** The issue presented is whether certain traffic handled by petitioners is interstate in nature or intrastate traffic. The traffic originates at suppliers of Norris Industries, Inc., within Michigan and is destined to Norris' plants located outside of Michigan. These plants receive inbound materials and supplies from several vendors within Michigan. Norris requires its vendors to ship its materials and supplies to a consolidator at Detroit, MI. Hare Cartage, Inc., serves as that consolidator.

Parker Motor Freight, Inc., has participated in Norris' traffic originating at Holland, MI, and moving to the consolidator at Detroit. After the freight from Holland and other vendors in Michigan reaches Detroit, a decision is made by Norris as to whether the traffic will move to its out-of-state plants in private carriage or in for-hire carriage. At the time any shipment leaves a

vendor in Michigan it is known that the shipment's ultimate destination is to a Norris plant outside of Michigan, but it is not known whether the traffic will move beyond Detroit in private or for-hire carriage.

The petition seeks a declaratory order as to whether all or a portion of the described traffic is interstate in nature from a vendor's Michigan facility to the consolidation point at Detroit. Petitioners believe that such traffic is interstate in nature.

No oral hearing is contemplated. Any person, including petitioners, desiring to participate in this proceeding shall file with the Commission an original and eight copies of written representations, views, or arguments. A copy of each representation, also must be served on petitioners' representatives.

Written material submitted will be available for public inspection at the Office of the Interstate Commerce Commission, 12th Street and Constitution Avenue, Washington, D.C. during regular business hours.

Notice to the general public of this matter will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Heber P. Hardy,  
Director, Office of Proceedings.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-10730 Filed 4-21-83; 8:45 am]  
BILLING CODE 7035-01-M

[Ex Parte No. 387; Sub-900]

**Norfolk and Western Railway Company; Exemption for Contract Tariff; ICC-NW-C-6013, Supplement 1 (Coal) Via Port of Lamberts Point, Virginia**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of provisional exemption.

**SUMMARY:** A provisional exemption is granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the above-noted contract tariff may become effective on one day's notice.\* This exemption may be revoked if protests are filed.

**DATES:** Protests are due within 15 days of publication in the Federal Register.

**ADDRESS:** An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:** Douglas Galloway (202) 275-7278.

**SUPPLEMENTARY INFORMATION:** The 30-day notice requirement is not necessary in this instance to carry out the transportation policy of 49 U.S.C. 10101a or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption request meets the requirements of 49 U.S.C. 10505(a) and is granted subject to the following conditions: This grant neither shall be construed to mean that the Commission has approved the contract for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to determine its lawfulness.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

\*Note.—tariff supplements advancing contract's effective date shall refer to this decision for authority.

By the Commission, Review Board Number 3, Members Krock, Joyce, and Dowell.

Decided: April 15, 1983.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-10580 Filed 4-21-83; 8:45 am]  
BILLING CODE 7035-01-M

[Docket No. AB-52; Sub-21B]

**Atchison, Topeka & Santa Fe Railway Co.; Abandonment; Between Ancona and Streator Junction, IL; Findings**

The Commission has found that the public convenience and necessity permit the Atchison, Topeka and Santa Fe Railway Company to abandon its 30.7 mile rail line between Ancona (milepost 0.27) and Streator Junction (milepost 30.66) in Livingston, LaSalle and Woodford Counties, IL. A certificate will be issued authorizing this abandonment unless within 15 days after this publication the Commission also finds that: (1) A financially responsible person has offered assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and served concurrently on the applicant, with copies to Louis E. Gitomer, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. Any offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail

service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-10732 Filed 4-21-83; 8:45 am]  
BILLING CODE 7035-01-M

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

[TA-W-13,413, 13,413A]

**Hanna Mining Co. and Hanna Nickel Smelting Co., Riddle, Oregon; Affirmative Determination Regarding Application for Reconsideration**

The United Steelworkers of America, after being granted a filing extension, requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance on behalf of the workers and former workers of the Hanna Mining Company and the Hanna Nickel Smelting Company in Riddle, Oregon. The determination was published in the Federal Register on January 14, 1983 (48 FR 1845).

The application for reconsideration claims, among other things, that since Hanna operates the only nickel mine located in the U.S. any amount of imported nickel directly affects the workers at Hanna. Also, occurring together with the closing of Hanna's mining operation in Oregon was the opening of a new mine and smelter in Columbia, South America by Hanna.

**Conclusion**

After review of the application, I conclude that the claims are of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this April 13, 1983.

Robert O. Deslongchamps,  
Acting Deputy Administrator, Unemployment Insurance Service.

[FR Doc. 83-10794 Filed 4-21-83; 8:45 am]  
BILLING CODE 4510-30-M

[TA-W-13,544]

**National Steel Corp., Weirton Steel Division, Weirton, West Virginia; Affirmative Determination Regarding Application for Reconsideration**

By an application dated March 29, 1983, the Independent Steelworkers Union requested administrative



reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance on behalf of the workers and former workers of National Steel Corporation's Weirton Steel Division, Weirton, West Virginia. The determination was published in the *Federal Register* on March 4, 1983 (48 FR 9389).

The application for reconsideration claims, among other things, that the Department's denial was specifically based upon import and sales data that was improperly combined in such a manner as to nullify what were in fact, absolute and relative increases in imports of similar products during the relevant time period.

#### Conclusion

After review of the application, I conclude that the claims are of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application, is, therefore, granted. Signed at Washington, D.C. this April 14, 1983.

Robert A. Schaeffl,  
Director, Office of Program Management,  
Unemployment Insurance Service.

[FR Doc. 83-10793 Filed 4-21-83; 8:45 am]

BILLING CODE 4510-30-M

#### [TA-W-14, 480]

#### U.S. Steel Corp., Fairfield Works, Fairfield, Alabama; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on March 14, 1983 in response to a worker petition received on March 8, 1983 which was filed by the United Steelworkers of America on behalf of workers at the Fairfield Works of the U.S. Steel Corporation in Fairfield, Alabama.

A determination applicable to the petitioning group of workers was issued on January 25, 1983 (TA-W-13, 278). The Fairfield Works halted all production activities on June 28, 1982. No new information is evident which would alter the Department's previous determination. Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed at Washington, D.C. this April 13, 1983.

Marvin M. Fooks,  
Director, Office of Trade Adjustment Assistance.

[FR Doc. 10795 Filed 4-21-83; 8:45 am]

BILLING CODE 4510-30-M

#### Office of the Secretary

#### Agency Forms Under Review by the Office of Management and Budget (OMB)

##### Background

The Department of Labor, in carrying out its responsibility under the Paperwork Reduction Act (44 U.S.C. Chapter 35), considers comments on the proposed forms and recordkeeping requirements that will affect the public.

##### List of Forms Under Review

On each Tuesday and/or Friday, as necessary, the Department of Labor will publish a list of the Agency forms under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The Departmental Clearance Officer will, upon request, be able to advise members of the public of the nature of any particular revision they are interested in.

Each entry will contain the following information:

The Agency of the Department issuing this form.

The title of the form.

The Agency form number, if applicable.

How often the form must be filled out.

Who will be required to or asked to report.

Whether small business or organizations are affected.

The standard industrial classification (SIC) codes, referring to specific respondent groups that are affected.

An estimate of the number of responses.

An estimate of the total number of hours needed to fill out the form.

The number of forms in the request for approval.

An abstract describing the need for and uses of the information collection.

##### Comments and Questions

Copies of the proposed forms and supporting documents may be obtained by calling the Departmental Clearance Officer, Paul E. Larson, Telephone 202-523-6331. Comments and questions about the items on this list should be directed to Mr. Larson, Office of Information Management, U.S. Department of Labor, 200 Constitution Avenue, NW., Room S-5526, Washington, D.C. 20210. Comments should also be sent to the OMB reviewer, Arnold Strasser, Telephone 202-395-6880, Office of Information and Regulatory Affairs, Office of

Management and Budget, Room 3208, NEOB, Washington, D.C. 20503.

Any member of the public who wants to comment on a form which has been submitted to OMB should advise Mr. Larson of this intent at the earliest possible date.

##### New

Occupational Safety and Health Administration  
Ethylene Oxide 29 CFR 1910.1047  
On occasion  
Businesses or other institutions  
Small business or organization  
SIC: Multiple  
182,780 responses; 73,200 hours

This regulation requires employers to establish and maintain accurate records of exposure monitoring and medical surveillance for employees exposed to ethylene oxide. These records are used by the employer, employee, physician and the Government in determining whether an employee's exposure to ethylene oxide may have had an effect on his/her health.

##### Extension

Bureau of Labor Statistics  
Employment, Wages, and Contributions Report  
BLS-3031  
Quarterly  
State Employment Security Agencies  
SIC: 944  
212 responses; 530,000 hours

ES-202, a summary of employment and wages of workers covered by Unemployment Insurance programs, is crucial to the administration of UI programs, and serves as the sampling frame and employment benchmark for most BLS programs, as an input in GNP and personal income estimates, and is used for economic analysis, fund allocations, and program administration.

Signed at Washington, D.C. this 19th day of April, 1983.

Paul E. Larson,  
Departmental Clearance Officer.

[FR Doc. 83-10796 Filed 4-21-83; 8:45 am]

BILLING CODE 4510-26, 4510-24-M

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

##### [Notice 83-32]

#### NASA Advisory Council, Aeronautics Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub.



L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Aeronautics Advisory Committee, Informal Advisory Subcommittee on High Performance Aircraft Systems.

**DATE AND TIME:** May 17, 1983, 8:30 a.m. to 4:30 p.m.; May 18, 1983, 8:30 a.m. to 4:30 p.m.; May 19, 1983, 8:30 a.m. to 12:00 noon.

**ADDRESS:** NASA Headquarters, 600 Independence Avenue, SW., Room 647, Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jack Levine, National Aeronautics and Space Administration, Code RJH-2, Washington, D.C. 20546 (202/755-2366).

**SUPPLEMENTARY INFORMATION:** The Informal Advisory Subcommittee on High Performance Aircraft Systems was established to assist NASA in assessing the current adequacy of high performance aircraft technology and recommend actions to reduce deficiencies through modification of the planned NASA research and technology program in flight dynamics, aerodynamics, structures and materials, propulsion, airframe/propulsion integration, integrated propulsion/airframe controls, and flight research. The subcommittee, chaired by Mr. John D. Louthan, is comprised of twelve members. The meeting will be open to the public up to the seating capacity of the room (approximately 30 persons including the Subcommittee members and participants).

Type of meeting: Open.

#### Agenda

##### May 17, 1983

8:30 a.m.—Welcome and Introduction.  
8:45 a.m.—Budget Overview/Status of NASA Aeronautics Program.  
9:30 a.m.—Executive Secretary's Report.  
—Review of Recommendations and Comments From Last Meeting of the Subcommittee  
—Status of the Programs  
—Overview of the 1984 Program  
11:00 a.m.—Special Topic—NASA Advanced Tactical Fighter Technology Programs.  
—Langley Research Center  
—Lewis Research Center  
—Ames Research Center/Dryden Flight Research Facility  
—Member Presentations  
4:30 p.m.—Adjourn.

##### May 18, 1983

8:30 a.m.—Special Topic Continued.  
—Member Presentations Continued  
—Discussion  
1:00 p.m.—Other Business of the Subcommittee.

3:00 p.m.—Preparation of the Subcommittee Report.

4:30 p.m.—Adjourn.

##### May 19, 1983

8:30 a.m.—Preparation of the Subcommittee Report Continued.

12:00 noon—Adjourn.

Dated: April 14, 1983.

Richard L. Daniels,  
Director, Management Support Office, Office of Management.

[FR Doc. 83-10706 Filed 4-21-83; 8:45 am]

BILLING CODE 7510-01-M

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### President's Committee on the Arts and Humanities; Meeting

Notice is hereby given on Plenary Meeting III of the President's Committee on the Arts and the Humanities. The purpose of this meeting is to review committee activities and report progress. The Committee is charged with considering ways to increase private sector support for the arts and humanities, to consider appropriate ways to increase private sector support for the arts and humanities, to consider appropriate Federal involvement in the arts and humanities, and to make recommendations to the President and to the National Endowment for the Arts and the National Endowment for the Humanities.

Plenary Meeting III will convene at 9:00 a.m., on Tuesday, May 17, 1983 in the Council Room (Room M-04), 1100 Pennsylvania Avenue NW (Entrance on 12th Street), Washington, D.C. The meeting is expected to conclude before noon.

This meeting, open to the public, is by reservation on a space available basis (room capacity, 100 persons). Individuals wishing to attend must request reservations not later than May 11. Reservations may be made by sending a postcard with your full name and telephone number (so that you may be notified in the event of a change) to the President's Committee on the Arts and Humanities, New Executive Office Building, Rm. 2200, 726 Jackson Place, NW, Washington, D.C. 20503. Or you may call 202-456-6200 or 212-883-6764.

April 15, 1983.

John H. Clark,  
Director, Office of Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 83-10763 Filed 4-21-83; 8:45 am]

BILLING CODE 7537-01-M

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards; Subcommittee on Electrical Systems; Date Change

The ACRS Subcommittee on Electrical Systems scheduled for April 27, 1983 has been rescheduled for May 10, 1983, Room 1167, at 1717 H Street, NW., Washington, D.C.

All other items regarding this meeting remain the same as announced in the Federal Register published Tuesday, April 5, 1983 (48 FR 14770).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Dr. Richard Savio (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EST.

Dated: April 19, 1983.

John C. Hoyle,  
Advisory Committee Management Officer.

[FR Doc. 83-10823 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

### Advisory Committee on Reactor Safeguards, Subcommittee on Emergency Core Cooling Systems; Meeting

The ACRS Subcommittee on Emergency Core Cooling Systems will hold a meeting on May 10, 1983, Room 1046, at 1717 H Street, NW., Washington, D.C. The Subcommittee will discuss:

- (1) NRR review of GE SAFER/GESTER ECCS Codes, and the status of other NRC/NRR licensing actions; and
- (2) NRC/RES activities, including: Appendix K revision status; status of B&W/NRC Test Advisory Group effort, and the results of the recent LOFT feed-and-bleed test.

In accordance with the procedures outlined in the Federal Register on October 1, 1982 (47 FR 43474), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance except for those sessions which will be closed to protect proprietary information (Sunshine Act Exemption (4)). One or more closed sessions may be necessary to discuss such information. To the extent practicable, these closed sessions will be held so as to minimize inconvenience to members of the public in attendance.

The agenda for subject meeting shall be as follows:

*Tuesday, May 10, 1983—8:30 a.m. until the conclusion of business.*

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons regarding the topics to be discussed.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Paul Boehnert (telephone 202/634-3267), between 8:15 a.m. and 5:00 p.m., EST.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close sessions of this meeting to public attendance to protect proprietary information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: April 18, 1983.

John C. Hoyle,

*Advisory Committee Management Officer.*

[FR Doc. 83-10824 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

#### **Advisory Committee on Reactor Safeguards, Subcommittee on Safety Research Program; Meeting**

The ACRS Subcommittee on the Safety Research Program will hold a meeting on May 11, 1983, Room 1046, at 1717 H Street, N.W., Washington, D.C. The Subcommittee will review the NRC Safety Research Program and Budget for fiscal years 1985 and 1986, along with the Office of Research responses to ACRS recommendations included in the recent ACRS report to Congress on the NRC Safety Research Program for fiscal years 1984 and 1985 (NUREG-0963).

Notice of this meeting was published March 23, 1983.

In accordance with the procedures outlined in the Federal Register on October 1, 1982 (47 FR 43474), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance.

The agenda for subject meeting shall be as follows:

*Wednesday, May 11, 1983—8:30 a.m. until the conclusion of business.*

During the meeting, the Subcommittee will hear presentations from and hold discussions with the representatives of the Office of Nuclear Regulatory Research and research user offices of the NRC with regard to the proposed NRC Safety Research Program and Budget for fiscal years 1985 and 1986. It will discuss also the adequacy of the Office of Research responses to ACRS recommendations included in the recent ACRS report to Congress (NUREG-0963).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefore can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Sam Duraiswamy (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EST.

Dated: April 18, 1983.

John C. Hoyle,

*Advisory Committee Management Officer.*

[FR Doc. 83-10822 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-70; Operating License No. TR-1]

#### **Applications; General Electric Co. (Vallecitos Nuclear Center—General Electric Test Reactor); Rescission of Order and Order Modifying License**

I

The General Electric Company (GE or licensee), Pleasanton, California, is the holder of the Operating License No. TR-1, issued on January 7, 1959, which authorizes the operation of the General

Electric Test Reactor (GETR), at GE's Vallecitos Nuclear Center (VNC) located near Pleasanton, California. GETR is a 50 MW thermal test reactor primarily used in the production of radioisotopes for medical diagnosis and therapy and for industrial purposes. Additionally, boiling water reactor fuel element development testing is conducted in this facility. GE has applied for renewal of Operating License No. TR-1 and a notice of consideration of the application for renewal was published in the Federal Register on September 15, 1977 (42 FR 46427). A hearing in this matter was requested and an Atomic Safety and Licensing Board was established to rule on petitions for leave to intervene.

II

In the course of reviewing the information in support of the application for renewal of Operating License No. TR-1, the NRC determined that seismic and geologic characteristics near the reactor site were of significant concern. Therefore, on October 24, 1977 the Acting Director for Nuclear Reactor Regulation ordered that:

1. Pending further order by the Director, Office of Nuclear Reactor Regulation, the GETR shall, upon completion of the present cycle on Thursday, October 27, 1977, be placed and maintained safely in a cold shutdown condition.

2. GE show cause, in the manner hereinafter provided, why the suspension of activities under Operating License No. TR-1 should not be continued.

By letter dated November 11, 1977, GE responded to the Show Cause Order. Based on geologic, seismic, structural and analysis information accompanying their response, GE requested authorization to resume operation following completion of proposed modifications.

In a Memorandum and Order dated February 13, 1978, the Commission, pursuant to Section 191 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2241), delegated the authority to rule on the requests for a hearing to an Atomic Safety and Licensing Board (Licensing Board or Board). The Commission also stated that, in the event that a hearing is held, the issues to be considered by the Board are as follows:

(1) What the proper seismic and geologic design bases for the GETR facility should be;

(2) Whether the design of GETR structures, systems and components important to safety requires

modifications considering the seismic design bases determined in issue (1) above, and if so, whether the modification(s) can be made so that GETR structures, systems and components important to safety can remain functional in light of the design bases determined in issue (1) above;

(3) Whether activities under Operating License No. TR-1 should continue to be suspended pending resolution of the foregoing.

Thereafter, GE submitted additional information to the NRC Staff relating to the geological characteristics of the site. It recommended geologic and seismic design bases, and submitted an analysis to demonstrate that the facility, after modification, would meet those design bases. Upon review by the NRC Staff, GE was advised in the summer of 1978 to perform additional geologic investigations. In response, GE undertook an extensive program of geologic investigations between August and December 1978. In February of 1979, GE submitted a detailed report on these investigations, along with additional information concerning the ability of the GETR to meet the recommended seismic design bases.

By letter dated May 23, 1980, the staff completed a safety evaluation which presented its conclusions on the proper seismic and geologic design basis for the GETR. On October 27, 1980, the staff completed its safety evaluation report (SER) with regard to landslide hazard and seismic design of structures, systems and components important to safety. On January 15, 1981, the staff issued a supplement to its SER which completed the evaluation of issues (1) and (2) of the Show Cause Order.

A hearing was conducted from May 27 through June 10, 1981 on the issues set forth in the Commission's February 13, 1978 Memorandum and Order.

The hearing on the show cause order has resulted in the Licensing Board's issuance of an Initial Decision, LBP-82-64, 16 NRC —, August 16, 1982. *aff'd*, ALAB-720 17 NRC —, (March 23, 1983).

The conclusions of the Board were:

1. The proper geologic and seismic design bases for the GETR should be as follows:

(a) A surface offset design value of one meter of reverse-oblique net slip beneath the GETR should be utilized, along a fault plane of 2000 foot-wide Verona fault zone, which could vary in dip from about 10 to 45 degrees, occurring during a single event.

(b) The Regulatory Guide 1.60 Response Spectra, anchored to .75 g effective acceleration for an event on

the Calaveras fault, and .6 g effective acceleration on the Verona fault.

(c) Combined loads caused by fault offset at the surface and vibratory ground motion from the Verona fault must be considered to act simultaneously, and that the entire one meter of surface offset is considered to occur coseismically.

(d) A seismic event could trigger a landslide, causing a 1.0 meter slope displacement occurring near the toe of the slope, at some distance from the GETR; accordingly, the one meter offset caused by the landslide must be considered in the design of safety-related equipment located in the area of the toe, such as the fuel flooding system piping, but need not be considered in the design of the GETR reactor structure.

2. The General Design Criteria of Appendix A to 10 CFR Part 50 apply only to power reactors and do not apply to the GETR.

3. Appendix A to 10 CFR Part 100 applies to power reactors and not to facilities such as the GETR, which does not produce electric or heat energy.

4. The design of GETR structures, systems and components important to safety do require modifications, and these modifications can be made so that the GETR structures, systems and components important to safety can remain functional in light of the seismic design bases determined in point (1) above.

### III

In view of the foregoing and pursuant to sections 104, 161(b) and 161(i) of the Atomic Energy Act of 1954, as amended, the regulations in 10 CFR Parts 2, 50, and the Board's Initial Decision dated August 16, 1982, it is hereby ordered that:

(1) Operating License No. TR-1 is modified in accordance with the terms specified in Amendment No. 12, which is appended to this Order;

(2) The suspension of operation imposed by the Order to Show Cause of October 24, 1977 is hereby rescinded subject to the conditions specified in Amendment No. 12.

This Order is effective as of the date of its issuance.

Dated this 13th day of April 1983.

For The Nuclear Regulatory Commission,  
Darrell G. Eisenhut,  
Director, Division of Licensing.

[FR Doc. 83-10817 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

### International Atomic Energy Agency Draft Safety Guide; Availability of Draft for Public Comment

The International Atomic Energy Agency (IAEA) is completing development of a number of internationally acceptable codes of practice and safety guides for nuclear power plants. These codes and guides are in the following five areas: Government Organization, Design, Siting, Operation, and Quality Assurance. All of the codes and most of the proposed safety guides have been completed. The purpose of these codes and guides is to provide guidance to countries beginning nuclear power programs.

The IAEA codes of practice and safety guides are developed in the following way. The IAEA receives and collates relevant existing information used by member countries in a specified safety area. Using this collation as a starting point, an IAEA working group of a few experts develops a preliminary draft of a code or safety guide which is then reviewed and modified by an IAEA Technical Review Committee corresponding to the specified area. The draft code of practice or safety guide is then sent to the IAEA Senior Advisory Group which reviews and modifies as necessary the drafts of all codes and guides prior to their being forwarded to the IAEA Secretariat and thence to the IAEA Member States for comments. Taking into account the comments received from the Member States, the Senior Advisory Group then modifies the draft as necessary to reach agreement before forwarding it to the IAEA Director General with a recommendation that it be accepted.

As part of this program, Safety Guide SG-D8, "Safety-Related Instrumentation and Control Systems," has been developed. The working group, consisting of Mr. C. Karpeta from Czechoslovakia; Mr. F. Reisch from Sweden; Mr. J. L. Petrie from the United Kingdom; and Mr. J. Gallagher (Westinghouse Electric Corporation) from the U.S.A., developed the initial draft of this guide from an IAEA collation. This draft was subsequently modified by the IAEA Technical Review Committee for Design and the Senior Advisory Group, and we are now soliciting public comment on a modified draft (Rev. 8, dated April 27, 1982). Comments received by the Director, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, by June 1, 1983, will be particularly useful to the U.S. representatives to the Technical Review

Committee and the Senior Advisory Group in developing their positions on its adequacy prior to their next IAEA meetings.

Single copies of this draft Safety Guide may be obtained by a written request to the Director, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(5 U.S.C. 522(a))

Dated at Washington, D.C. this 18th day of April 1983.

For the Nuclear Regulatory Commission.

**Robert B. Minogue,**

*Director, Office of Nuclear Regulatory Research.*

[FR Doc. 83-10821 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

#### [Docket No. 50-285]

#### **Omaha Public Power District; Issuance of Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 72 to Facility Operating License No. DPR-40 issued to Omaha Public Power District (the licensee), which revised the Technical Specifications for operation of the Fort Calhoun Station, Unit No. 1, located in Washington County, Nebraska. The amendment was effective as of its date of issuance.

The amendment updated snubber information regarding assessability and type. The amendment also denied part of the application which dealt with opening of certain fire doors because the licensee did not furnish an adequate basis.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this

action, see (1) the application for amendment dated November 29, 1982, (2) Amendment No. 72 to License No. DPR-40, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the W. Dale Clark Library, 215 South 15th Street, Omaha, Nebraska 68102. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland this 7th day of April, 1983.

For the Nuclear Regulatory Commission.

**Robert A. Clark,**

*Chief, Operating Reactors Branch No. 3, Division of Licensing.*

[FR Doc. 83-10818 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

#### [Docket No. 50-285]

#### **Omaha Public Power District; Issuance of Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 73 to Facility Operating License No. DPR-40 issued to Omaha Public Power District (the licensee), which revised the Technical Specifications for operation of the Fort Calhoun Station, Unit No. 1, located in Washington County, Nebraska. The amendment was effective as of its date of issuance.

The amendment deletes the interim special technical specification regarding operation with less than 75 percent of incore detector strings operable.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need

not be prepared in connection with the issuance of the amendment.

For further details with respect to this action, see (1) the application for amendment dated November 18, 1982, as supplemented by letter dated March 11, 1983, (2) Amendment No. 73 to License No. DPR-40, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C. 20555, and at the W. Dale Clark Library 215 South 15th, Street, Omaha, Nebraska 68102. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland this 12th day of April, 1983.

For the Nuclear Regulatory Commission.

**Robert A. Clark,**

*Chief, Operating Reactors Branch No. 3, Division of Licensing.*

[FR Doc. 83-10819 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

#### [Docket No. 30-19311; 50-387 and -388]

#### **Pennsylvania Power and Light Co. and Allegheny Electric Cooperative, Inc.; Issuance of Materials License, Safety Evaluation Report, Environmental Impact Appraisal, and Negative Declaration for the Onsite Contingency Storage of Low-Level Radioactive Waste at the Susquehanna Steam Electric Station**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Materials License No. 37-06554-4 to the Pennsylvania Power and Light Company (PP&L or licensee) authorizing the receipt, possession, storage and transfer of low-level radioactive waste (LLRW) at its onsite LLRW Holding Facility at the Susquehanna Steam Electric Station (SSES) located in Luzerne County, near Berwick, Pennsylvania. The license authorizes the storage of up to four years of LLRW generated from the operation of the SSES. The license is effective as of the date of issuance and the term of the license is five years.

A notice of receipt of the application for a byproduct material license was published in the **Federal Register** on October 9, 1981 (46 FR 49975).

The application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's

regulations. The Commission has made appropriate findings as required by the Act and the Commission's Regulations in 10 CFR Chapter 1, which are set forth in the license.

The Commission's Office of Nuclear Material Safety and Safeguards, Division of Fuel Cycle and Material Safety, has completed its safety and environmental reviews in support of the issuance of Materials License No. 37-06554-4. Two staff documents, the Safety Evaluation Report and the Environmental Impact Appraisal of Contingency Storage of Low-Level Radioactive Waste Storage at Pennsylvania Power and Light Company's Susquehanna Steam Electric Station have been issued.

The Environmental appraisal, "Environmental Impact Appraisal of Contingency Storage of Low-Level Radioactive Waste at Pennsylvania Power and Light Company, Susquehanna Steam Electric Station," was issued in accordance with 10 CFR Part 51. The Environmental Impact Appraisal concluded that the issuance of the proposed license will not significantly affect the quality of the human environment and that there will be no significant environmental impact from the issuance of the proposed license. Based on this appraisal, the Commission therefore concludes that this Negative Declaration is appropriate and an environmental impact statement for this particular license is not warranted.

The Commission's Safety Evaluation Report, dated March 1983, and Environmental Impact Appraisal, dated March 1983, are available for public inspection at the Commission's Public Document Room 1717 H Street, NW., Washington, D.C. and at the Local Public Document Room for PP&L's Susquehanna Steam Electric Station at the Osterhout Free Library in Wilkes-Barre, Pennsylvania. A copy of these reports may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Fuel Cycle and Material Safety.

Dated at Silver Spring, Maryland this 15th day of April, 1983.

For the Nuclear Regulatory Commission.

**Leland C. Rouse,**  
Chief, Advanced Fuel and Spent Fuel  
Licensing Branch, Division of Fuel Cycle and  
Material Safety, NMSS.

[FR Doc. 83-10820 Filed 4-21-83; 8:45 am]

BILLING CODE 7590-01-M

## OFFICE OF PERSONNEL MANAGEMENT

### Proposed Data Collection for OMB Review

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Notice of proposed data collection submitted to OMB for clearance.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1980, this notice announces a proposal for collecting data from selected Federal agencies for general purpose statistics. Every two years, five respondents would submit reports on eight agencies for which data are not otherwise available to the Office of Personnel Management. The data would be used by the Office of Personnel Management to manage personnel programs and evaluate policy alternatives, and by the National Science Foundation and the Bureau of Labor Statistics. For copies of this proposal, call John P. Weld, Agency Clearance Officer, on (202) 632-7720.

**DATE:** Comments on this proposal should be received within ten working days from the date of this publication.

**ADDRESSES:** Send or deliver comments to:

John P. Weld, Agency Clearance Officer,  
U.S. Office of Personnel Management,  
1900 E. Street, N.W., Room 6669,  
Washington, D.C. 20415, and  
Frank Reeder, Information Desk Officer,  
Office of Information and Regulatory  
Affairs, Office of Management and  
Budget, Washington, D.C. 20503

**FOR FURTHER INFORMATION CONTACT:**  
John. P. Weld, (202) 632-7720, Office of  
Personnel Management.

**Donald J. Devine,**  
Director.

[FR Doc. 83-10815 Filed 4-21-83; 8:45 am]

BILLING CODE 6325-01-M

### Proposed Extension of Form for OMB Review

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Notice of proposed extension of form submitted to OMB for clearance.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1980, this notice announces a proposed extension of a form which collects information from the public. OPM Form 1164, Qualifications Inquiry for Testing Personnel, is completed by former employers of candidates being considered for positions as OPM test examiners. OPM uses the information to

evaluate the trustworthiness and integrity of candidates being considered for these positions, thus supplementing a National Agency Check and Inquiry (NACI) and satisfying the special needs of this program. For copies of this proposal, call John P. Weld, Agency Clearance Officer, on (202) 632-7720.

**DATE:** Comments on this proposal should be received within 10 working days from the date of this publication.

**ADDRESSES:** Send or deliver comments to:

John P. Weld, Agency Clearance Officer,  
U.S. Office of Personnel Management,  
1900 E Street, NW., Room 6669,  
Washington, D.C. 20415  
and

Frank Reeder, Information Desk Officer,  
Office of Information and Regulatory  
Affairs, Office of Management and  
Budget, Washington, D.C. 20503

**FOR FURTHER INFORMATION CONTACT:**  
John P. Weld, (202) 632-7720.

Office of Personnel Management.

**Donald J. Devine,**  
Director.

[FR Doc. 83-10816 Filed 4-21-83; 8:45 am]

BILLING CODE 6325-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 19686; SR-Amex-82-20]

### American Stock Exchange, Inc.; Filing of an Amendment to and Order Approving Proposed Rule Change

April 18, 1983.

The American Stock Exchange, Inc. ("Amex"), 86 Trinity Place, New York, New York 10006, submitted on November 5, 1982, copies of a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, to provide for minimum customer margin requirements applicable to customers holding "uncovered" short positions in stock index options. In addition, in an amendment submitted on February 28, 1983, the exchange proposed to provide for reduced margin on stock index options that are "out-of-the-money."<sup>1</sup> Commission action on this proposed rule change is sought in connection with an Amex proposal to trade options on the Amex Major Market Index ("MMI").<sup>2</sup>

<sup>1</sup> The Amex Board of Governors ratified the proposed amendment to provide for reduced margin on "out-of-the-money" stock index options by the filing of a second amendment submitted on March 14, 1983. (See File No. SR-CBOE-82-20, Amendment No. 2.)

<sup>2</sup> The Amex submitted a proposal to trade an option on the Amex diversified 20-stock MMI on

Notice of the proposed rule change and the first amendment together with the terms of substance of the proposed rule change and the first amendment were given by the issuance of Commission Releases (Securities Exchange Act Release Nos. 19397 (January 4, 1983) and 19578 (March 9, 1983)) and by publication in the *Federal Register* (48 FR 1253, January 11, 1983 and 48 FR 11207, March 16, 1983). No comments were received with respect to the proposed rule change.

The Commission has recently considered the rules and regulations with respect to the amount of credit that may be initially extended and subsequently maintained on options on a stock index in connection with a proposal by the Chicago Board Options Exchange ("CBOE") to trade options on a broad-based 100-stock index.<sup>3</sup> Although the Amex MMI is comprised of only 20 stocks, the MMI, like the CBOE-100, is a broad-based index, reflecting a number of distinct sectors of the equity market. In view of the similarity of the current proposed rule change to the CBOE margin rule changes that the Commission recently approved, the Commission believes that the findings and conclusions concerning appropriate margin for options on a broad-based index set forth in the CBOE Margin Approval Order are appropriate here.<sup>4</sup>

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6, and the

rules and the regulations thereunder. Further, the Commission finds good cause to approve the proposed rule change simultaneously with notice of the publication of Amendment No. 2 being that the amendment simply provides notice of Board approval of Amendment No. 1 with respect to which public notification and a comment period was provided.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-10802 Filed 4-21-83; 8:45 am]  
BILLING CODE 8010-01-M

[Release No. 19685; File No. S7-971]

### Receipt of an Amendment to the Plan for Reporting of Consolidated Options Last Sale Reports and Quotation Information

April 18, 1983.

On March 10, 1983, the self-regulatory organizations acting jointly as the Options Price Reporting Authority ("OPRA") submitted to the Commission, pursuant to Rule 11Aa3-2 under the Securities Exchange Act of 1934 ("Act"), an amendment to OPRA's Plan for Reporting of Consolidated Options Last Sale Reports and Quotation Information (the "Plan").

**I. Description of the Amendment.** The amendment consists of a revised fee schedule for the current subscriber agreement under the Plan. Under the revised fee schedule a subscriber's fee will be based upon both the number of its offices (or locations at which OPRA information is received) and the number of electronic display or interrogation devices in each location. The fee is currently based upon either the number of registered representatives employed by the firm or the number of business locations of the firm, whichever results in a lower fee. OPRA estimates the increase in total subscriber fees will be about 30 percent. OPRA proposes to implement the revised fee schedule on May 1, 1983.

**II. Request for Comment.** Pursuant to Rule 11Aa3-2(c)(3) under the Act, the amendment (including its proposed implementation date) became effective upon filing with the Commission. The Commission, however, may summarily, abrogate the amendment within 60 days of its filing and require refiling and approval of the amendment by

Commission order, if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system, or otherwise in furtherance of the purposes of the Act. Accordingly, in order to assist the Commission in determining whether to abrogate the amendment and to require refiling and further review, interested persons are invited to submit their views to George A. Fitzsimmons, Secretary Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, within 21 days from the date of publication of this notice in the *Federal Register*. All communications should refer to file No. S7-971.

Copies of the amendment, all subsequent amendments, all written statements with respect to the amendment which are filed with the Commission, and all written communications relating to the amendment between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for public inspection in the Commission's Public Reference Room.

For the Commission, by the Division of Market Regulation Pursuant to delegated authority.<sup>1</sup>

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-10803 Filed 4-21-83; 8:45 am]  
BILLING CODE 8010-01-M

## SMALL BUSINESS ADMINISTRATION

### Grant Agreement and Related Information

**AGENCY:** Small Business Administration.

**ACTION:** Notice of publication of grant agreement and related information.

**SUMMARY:** Title I of Pub. L. 98-8, approved March 24, 1983, required, among other things, that SBA utilize \$50,000,000 of appropriated funds for grants for the rehabilitation and development of public parks and recreational areas. These funds are to be allocated to each State, the District of Columbia and the Commonwealth of Puerto Rico on the basis of unemployment, upon SBA's receipt from those jurisdictions of a certification which the Administrator of SBA deems appropriate. The law also authorized

<sup>1</sup> 17 CFR 200.30-3(a)(27).

March 15, 1983. See Securities Exchange Act Release No. 19610 (March 17, 1983), 48 FR 12486 (March 24, 1983). See File No. SR-Amex-82-22 and, specifically, Amendment No. 1.

<sup>3</sup> See Securities Exchange Act Release No. 19587 (March 10, 1983), 48 FR 11193 (March 16, 1983) approving the proposed rule change of the CBOE to provide for minimum customer margin applicable to customers holding "uncovered" short positions in options on stock indices (See File No. SR-CBOE-82-20) ("CBOE Margin Approval Order"). The staff of the Board of Governors of the Federal Reserve System (the "FRB") has indicated to the Commission staff that it has considered the margin requirements for stock index options and is in the process of revising Regulation T to incorporate language to reflect their development. The FRB staff also indicated that a Commission no-action position with respect to approval of self-regulatory organization rules that established an effective margin for uncovered short positions of the premium plus 10 percent of the value of the index was appropriate. See letter to Richard Ketchum, Associate Director, Division of Market Regulation, SEC, from Laura Homer, Securities Credit Officer, FRB, dated March 9, 1983 (the "FRB letter").

<sup>4</sup> As noted in the CBOE Margin Approval Order, the Commission has not determined the appropriate level of margin applicable to options on indices which do not reflect a variety of industries and, thus, are not broad-based.



expedited review and approval of procedures necessary for its implementation to be completed by April 15, 1983. This notice sets forth those procedures necessary to accomplish the law's intent.

**DATE:** The procedures set forth below are effective April 22, 1983.

**ADDRESS:** Comments should be addressed to William A. Scharf, Director, Office of Private Sector Initiatives, 1441 L Street, NW., Room 720-A, Washington, D.C. 20416.

**FOR FURTHER INFORMATION CONTACT:** William A. Scharf, Director, Office of Private Sector Initiatives, 1441 L Street, NW., Room 720-A, Washington, D.C. 20416.

**SUPPLEMENTARY INFORMATION:** On March 24, 1983, President Reagan signed Pub. L. 98-8 ("The Jobs Bill"). This law appropriates, among other things, \$50 million to SBA for grants under Section 21(a)(1) of the Small Business Act, 15 U.S.C. 648(a), for developing parks and recreation areas. The authorization was funded for the purposes of involving small business in providing jobs during a time of high unemployment and in order to accomplish benefits of lasting value. The appropriations statute recognized that there are many landscapers and others who are now idle and who could contract for this work. In addition, nurseries have a surplus of shrubs and trees which they have been unable to sell during the current recession. The planting of trees and shrubs on public lands can be accomplished in large measure by hiring unskilled individuals who are readily available in every city and county. It is the law's intent that grants for the \$50 million be made quickly and that an intensive employment program be underway without delay.

The authorizing legislation permits the making of grants for rehabilitation and improvements to the public parks and recreation areas, and to the extent funds are available, that kind of work can be performed in the summer months. However, new plantings or transplantings of bareroot trees, shrubs and flowers must be accomplished in the next several months. Therefore, it is absolutely essential that these grants be made and this program executed immediately.

The authorizing legislation provides for grants to State governments. The appropriations legislation requires that these grants be made on the basis of the average number of unemployed individuals who reside in such jurisdiction as compared to the total number of unemployed individuals in all the States, the District of Columbia and

Puerto Rico during the fourth quarter of calendar year 1982. To facilitate the immediate execution of this program, the Administrator of the Small Business Administration will make a grant without delay to any State if the Governor, or other appropriate designated official, certifies that such area will administer the grant in accordance with the provisions of the grant agreement set forth below. Therefore, for the purpose of distributing the \$50 million, a grant in the amount indicated on the chart below shall be made to any State immediately upon the signing of the grant agreement by an authorized representative of the State, and the certification by the Governor that the State will comply with the following requirements.

(1) All of the projects will be carried out before October 1, 1983;

(2) All contracts for services will be awarded only to contractors who would qualify as small businesses under Section 3 of the Small Business Act, and as set forth in the grant agreement;

(3) Supplies purchased will be procured only from businesses which would qualify under Section 3 of the Small Business Act as a small business, and as set forth in the grant agreement;

(4) But for the grant, the work to be performed would not be performed prior to October 1, 1983;

(5) Individuals employed either directly by the state or an agency thereof or through a contractor on an hourly basis with the proceeds of the grant shall only be individuals who do not have full-time employment, and who are not simultaneously drawing unemployment compensation for the same period of employment;

(6) Every reasonable attempt will be made to assure that the funds result in employment of the maximum number of otherwise unemployed individuals and will result in benefits of lasting value to the public;

(7) All plantings or development or rehabilitation work will be performed in public parks or other publicly controlled or owned lands;

(8) Reasonable efforts will be made either from grant funds or other funds to assure that any plantings are appropriately watered or cared for until they are established;

(9) The state will comply with other procedures required by the Small Business Administration as set forth in the grant agreement.

With such a certification by a Governor of a State or by an appropriate official of an eligible jurisdiction, the Administrator is fully authorized to make the grant to such State or jurisdiction in the amount provided in

the chart set forth below. In states or other eligible jurisdictions where such application and certification is not forthcoming, the Administrator can make grants to individual agencies of the jurisdiction or an educational institution or other qualified agencies or nonprofit institutions for individual shares of that jurisdiction grant as authorized in Section 21(a)(1) of the Small Business Act in accordance with expedited rules.

It is anticipated that to the extent that any funds allocated to any State are not applied for by July 1, 1983, they will be reallocated and distributed to other eligible jurisdictions for work which will be completed by October 1, 1983.

The appropriations statute requires that this program be implemented almost immediately and that all projects be carried out before October 1, 1983. Currently, however, SBA has no size standard for industries which could participate in the program, such as Ornamental Shrub and Tree Planting and Nursery Stock Wholesalers. (Wholesalers rather than retailers would be affected because even firms which normally engage in retail trade are considered wholesalers when they sell to the government.) Normally, in such cases where no size standard has been determined, a residual size standard of 500 employees would apply. (See 13 CFR 121.3-8.) However, in light of the size of the vast majority of firms potentially affected by this program, SBA believes that the residual size standard would be inappropriately large for this program.

Therefore, SBA is establishing an interim emergency size standard of 70 employees for purposes of this program alone as provided for by section 8, Executive Order 12291, and 5 U.S.C. 608. This standard will remain in effect only until October 1, 1983.

Due to the brief implementation time allowed for this program, SBA believes that the vast majority of the affected firms will be those in the Nursery Stock Wholesale trade. These firms are included in the Nondurable Goods Wholesale industry. Few firms in the industry actually sell nursery stock, however, and SBA lacks the statistical information to specify the wholesale nursery portion of this industry. Nevertheless, based on the industry as a whole, a size standard of 70 employees would include approximately 97 percent of the firms and about 50 percent of total sales. Therefore, SBA believes that 70 employees is an appropriate size standard for purposes of participation in this program.

Dated: April 15, 1983.

James C. Sanders,  
Administrator.

**Small Business Administration—Office of  
Private Sector Initiatives, Park and  
Recreational Area Development Grant  
Agreement**

State of	Grant No.
Grant Period—All Projects Completed by 10-1-83.	Amount of Grant: \$

The United States of America, represented by the Administrator of the United States Small Business Administration, and the State, District, or Commonwealth named above (hereinafter referred to as the State), mutually agree to perform this agreement in accordance with its terms and conditions including the conditions of the Governor's Certification (certification set forth immediately below).

The United States hereby promises, in consideration of the promises made by the State herein, to obligate and tender to the State the amount of money indicated below in the certification for the purpose stated in the certification. The State hereby promises, in consideration of the promises made by the United States, to administer the grant described below in accordance with the terms and conditions of this agreement.

**Part I—Governor's Certification**

In consideration of the United States Small Business Administration's approval of a grant of \$\_\_\_\_\_ to the State of \_\_\_\_\_ for the purpose of the rehabilitation and development of public parks and recreational areas, I, \_\_\_\_\_, Governor of said State hereby certify that the State will comply with the following requirements:

(1) All of the projects authorized to be funded by this grant will be carried out before October 1, 1983.

(2) All contracts for services will be awarded only to contractors who would qualify as small businesses under Section 3 of the Small Business Act, as defined below.

(3) Supplies purchased will be procured only from businesses which would qualify under Section 3 of the Small Business Act as a small business, as defined below.

(4) But for the grant, the work to be performed would not be performed prior to October 1, 1983.

(5) Individuals employed either directly by the State or an agency thereof or through a contractor on an hourly basis, with the proceeds of the grant, shall only be individuals who do not have full time employment, and are not simultaneously drawing unemployment compensation for the same period of employment.

(6) Every reasonable attempt will be made to assure that the funds result in employment of the maximum number of otherwise unemployed individuals and will result in benefits of lasting value to the public.

(7) All plantings or development or rehabilitation work will be performed in public parks or other publicly controlled or owned lands.

(8) Reasonable efforts will be made either from grant funds or other funds to assure that any plantings are appropriately watered or cared for until they are established.

(9) The State will comply with procedures and rules required by the Small Business Administration.

Date \_\_\_\_\_  
Governor \_\_\_\_\_  
State of \_\_\_\_\_

**Part II—Definitions**

A. The terms "SBA" or "Grantor" as used herein means the United States Small Business Administration.

B. The term "Administrator" as used herein means the Administrator of the United States Small Business Administration, or any representative lawfully delegated the authority to act for such Administrator.

C. The term "Director" as used herein means the Director of the Office of Private Sector Initiatives of the Small Business Administration, or any representative lawfully delegated the authority to act for such Director.

D. The term "Grants Management Officer" as used herein means the agency official responsible for the financial management of this grant for the Federal Government.

E. The term "Project" as used herein means a single project, to be undertaken to accomplish the rehabilitation and development of public parks and recreational areas.

F. The term "State" as used herein means the State, the District of Columbia, or the Commonwealth of Puerto Rico which is a party to this grant agreement. Wherever a term, condition, obligation or requirement refers to the State, such term, condition, obligation, or requirement shall also apply to the recipient political subdivision or public agency, except where it is clear from the nature of the term, condition, obligation or requirement that it is to apply solely to the State.

G. The term "Small Business" as used herein means a business concern that has, including its affiliates, a number of employees not exceeding 70, and meets the other regulatory requirements found in 13 CFR Part 121. The term "affiliates" is defined in 13 CFR 121.3-2(a). The term "number of employees" is defined in 13 CFR 121.3-2(f).

**Part III.—Continuing Assurances**

**A. Terms of the Grant Agreement**

1. The State agrees, as recipient of this assistance, that it will meet the following specific requirements and that it will further impose these requirements upon any political subdivision or public agency to which funds made available under this grant agreement are transferred. The State also agrees that it shall be responsible for compliance with the terms of this grant agreement by such a political subdivision or public agency and that failure by such political subdivision or public agency to so comply shall be deemed a failure by the State to comply with the terms of this agreement. However, such transfers of funds may be made by the State without further approval by the Grantor.

2. This hereby certifies that applicant possesses adequate grant management

capabilities as required by OBM Circulars and SBA Federal Assistance Administration Regulation and Guidelines in all of the following areas; fiscal administration, facilities management, management information, personnel, planning and budget, procurement and property management.

3. This hereby certifies that applicant meets the standards for fund control and accountability as prescribed in OMB Circular A-102 or A-110 as appropriate in accordance with the legal status of the applicant's organizational status and have established or can demonstrate the willingness and ability to establish procedures that will minimize the time elapsing between the transfer of funds from the Treasury and their disbursement by the Grantee if advance payment procedures are used.

**B. Nondiscrimination**

1. The State will comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this provision.

2. The State will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment, or

(2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.

**C. Applicable Federal Circulars**

The State shall comply with applicable regulations, policies, guidelines, and requirements including OMB Circulars A-87 and A-102, as they relate to the application, acceptance and use of Federal funds made available under this agreement.

**D. Grant Application**

1. The application for Federal assistance and associated documents submitted for the funds made available under this agreement is by this reference made a part of the agreement.

2. The State possesses legal authority to apply for the grant; that a resolution, motion or similar action, if necessary, has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**E. Grant Execution**

1. The period of availability of funds under this agreement shall begin with the date of execution of this agreement and shall terminate on September 30, 1983, with all

unallocated funds as of October 1, 1983 being returned to the Grantor.

2. The State shall assure compliance with all applicable Federal, State, local laws and regulations.

3. The State will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Pub. L. 93-234, 87 Stat. 975, approved December 31, 1976. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

4. The State will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the purposes of this grant are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

5. The State will assist the Grantor in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 *et seq.*) by consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR 800.0) by the activity, and notifying the Grantor to avoid or mitigate adverse effects upon such properties.

6. The State will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, 29 U.S.C. 201 *et seq.*

#### F. Conflict of Interests

1. The State will establish safeguards to prohibit its employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

#### G. Hatch Act

1. The State will comply with the provisions of the Hatch Act which provides that no officer or employee of the State whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the political activity prescribed in the Hatch Political Activity Act, 5 U.S.C. 118k (1964), with the exceptions therein enumerated.

#### H. Grant Administration Costs

1. Grant administration costs eligible for assistance shall not exceed 5 percent of the total grant.

#### I. Project Administration

1. The State shall promptly submit such reports and documentation as the Director may request.

2. Any monies advanced to the State under this agreement are "public monies" (owned by the Federal Government) and shall be deposited in a bank with FDIC insurance coverage and the balances exceeding the FDIC coverage shall be collaterally secured as provided for in 12 U.S.C. 265.

3. The State shall use any funds received by way of advance payment from the United States under the terms of this agreement solely for the purposes described in this agreement.

4. Properties rehabilitated or developed with funds made available under this agreement shall be available for inspection by the Grantor at such intervals as the Director shall require.

5. Recipients and secondary recipients shall not have Federal cash balances on which to draw interest. Any and all interest earned on Federal dollars must be returned to SBA within 30 days of the end of the budget period of this grant.

6. Problems or questions relating to payment under this agreement should be directed to: Grants Management Officer, Room 219, U.S. Small Business Administration, 1441 L Street N.W., Washington, DC 20416, (202) 653-7744.

7. Financial reports in original and one copy, will be submitted to the Grants Management Officer, at the above address.

Reports of Federal Cash Transaction will be submitted on Standard Form 272 and Financial Status Reports shall be submitted on Standard Form 269.

Financial reports shall be furnished no later than 30 days after the end of the project period.

8. Performance reports shall be furnished to the Director no later than 30 days after the end of the project period.

Performance reports shall contain the following data:

(1) The total amount of grant funds expended for supplies purchased from qualified small businesses.

(2) The number of contracts awarded to qualified small businesses and the total dollar value of these contracts.

(3) The number of unemployed individuals that were employed directly by the State or subdivision or by a contractor with proceeds of the grant. The total dollars expended for this employment.

(4) A brief statement highlighting the improvements accomplished with the grant.

#### J. Retention and Custodial Requirements for Records

1. Financial records, supporting documents, statistical records, and all other records pertinent to this grant shall be retained for a period of three years; except the records shall be retained beyond the three-year period if audit findings have not been resolved.

2. The retention period starts from the date of the final expenditure report for the project.

3. State and local governments are authorized to substitute microfilm copies in lieu of original records.

4. The State will give the Grantor or the Comptroller General through any authorized representative access to and opportunity to examine all records, books, papers, or documents related to the grant.

#### Part IV—Special Provisions

##### A. Disputes

1. Except as otherwise provided by law or regulations, any dispute arising under this grant shall be decided by the Grants Management Officer (GMO), who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the State. Such a decision of the GMO shall be final and conclusive unless, within thirty (30) days from the date of receipt of such copy, the State otherwise delivers to the GMO a written appeal.

2. The GMO shall supply such appeal to the Administrator or his delegatee for adjudication. The decision of the Administrator concerning such appeal shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent or capricious, arbitrary, or so grossly erroneous as to imply bad faith, or not supported by substantial evidence.

3. In connection with an appeal proceeding under this article, the State shall be afforded an opportunity to be heard, to be present, to offer evidence and testimony in support of any appeal, to cross-examine Government witnesses and to examine documentation or exhibits offered in evidence by the Government or admitted to the appeal record (subject to the Government's right to offer its own evidence and testimony, to cross-examine the appellant's witnesses, and to examine documentation or exhibits offered in evidence by the appellant or admitted to the appeal record). The appeal shall be determined solely upon the appeal record.

4. This "Disputes" article shall not preclude consideration of any question of law in connection with decisions provided for by this article; provided, that nothing in this award document or related materials shall be considered as making final the decision of any administrative official, representative, or Board, on a question of law.

##### B. Project or Grant Termination

1. The Grants Management Officer may require the State to temporarily suspend assistance made available under this agreement to a project being funded therewith pending corrective action by the State of a violation of the terms of this agreement or pending a decision to terminate the project by the State.

2. The Grants Management Officer may terminate the grant in whole, or in part, at any time before the date of completion, whenever it is determined that the Grantee has failed to comply with the conditions of this grant agreement. The Grants Management Officer will promptly notify the State in writing of the determination and the reasons for the termination, together with the effective date. Payments made to States or recoveries by the Grantor under projects

terminated for cause shall be in accord with the legal rights and liabilities of the parties.

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

The United States of America

By \_\_\_\_\_

(Signature)

(Title) \_\_\_\_\_

U.S. Small Business Administration Office of External Awards

Date \_\_\_\_\_

State \_\_\_\_\_

By \_\_\_\_\_

(Signature)

(Name) \_\_\_\_\_

(Title) \_\_\_\_\_

(Date) \_\_\_\_\_

[FR Doc. 83-10711 Filed 4-21-83; 8:45 am]

BILLING CODE 8025-01-M

## VETERANS ADMINISTRATION

### Advisory Committee on the Readjustment Problems of Vietnam Veterans; Establishment

In accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) and Office of Management and Budget Circular A-63, as revised, and after consultation with the Administrator, General Services Administration, the Administrator, Veterans Administration has determined that establishment of the Advisory Committee on the Readjustment Problems of Vietnam Veterans is necessary and in the public

interest in connection with the performance of duties imposed on the Veterans Administration by law.

The committee has been established to assemble and analyze ongoing research and clinical experience in order to assist in the formation of appropriate policy and organizational structures. In addition, the Veterans Administration is now faced with the challenge of reexamining preexisting service structures and determining how similar psychosocial readjustment difficulties of veterans during a post-war period might be met in the future. The Committee will be composed of authorities drawn from three major categories: (1) Recognized experts, both research and clinical, in the field, (2) national veterans service organization specialists and (3) individuals representing a cadre of training facilities. This diverse group will permit the VA to obtain a balanced representation of relevant viewpoints.

Comments of interested persons concerning the establishment of this Committee may be submitted to Arthur S. Blank, Jr., M.D., Director, Readjustment Counseling Service, (11RC), Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington, D.C., 20420; Phone (202) 389-5419.

Dated: April 13, 1983.

By direction of the Administrator.

Rosa Maria Fontanez,  
*Committee Management Officer.*

[FR Doc. 83-10746 Filed 4-21-83; 8:45 am]

BILLING CODE 8320-01-M

# Sunshine Act Meetings

Federal Register

Vol. 48, No. 79

Friday, April 22, 1983

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

### CONSUMER PRODUCT SAFETY COMMISSION

#### TIME AND DATE:

April 11, 1983, 2:30 p.m.

April 13, 1983, 2:30 p.m.

April 14, 1983, 2:30 p.m.

**PLACE:** 1111 18th Street, NW., Washington, D.C. 20207.

**STATUS:** Closed to the public.

**MATTERS TO BE CONSIDERED:** The Commission considered issues related to a matter in civil litigation. In each case the Commission voted that agency business required holding the meeting without seven days notice.

#### CONTACT PERSON FOR INFORMATION:

Sheldon D. Butts, Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207 (301) 492-6800.

[S-569-83 Filed 4-20-83; 3:34 pm]

BILLING CODE 6355-01-M

2

### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**DATE AND TIME:** 9:30 a.m. (eastern time), Tuesday, April 26, 1983.

**PLACE:** Commission Conference Room No. 200, second floor, Columbia Plaza Office Building, 2401 E Street NW., Washington, DC. 20506.

**STATUS:** Part will be open to the public and part will be closed to the public.

### MATTERS TO BE CONSIDERED:

1. Ratification of Notation Vote/s.
2. A Report on Commission Operations (Optional).
3. Freedom of Information Act Appeal No. 83-1-FOIA-1-SF, concerning a request for the contents of an open Commissioner's charge file.
4. Freedom of Information Act Appeal Nos. 82-02-FOIA-014-MK, 015-MK, concerning a request for the contents of Title VII charge files.
5. Freedom of Information Act Appeal No. 82-9-FOIA-143-NY, concerning a request for confidential witness statements from a closed age discrimination charge file.

#### Closed:

1. Litigation Authorization; General Counsel Recommendations.
2. Proposed withdrawal of certain charges.
3. Discussion of DOL's Proposed Airline Employee Protection Regulations.

**Note.**—Any matter not discussed or concluded may be carried over to a later meeting. (In addition to publishing notices on EEOC Commission meetings in the Federal Register, the Commission also provided recorded announcements a full week in advance on future Commission sessions. Please telephone (202) 634-6748 at all times for information on these meetings.)

**CONTACT PERSON FOR MORE INFORMATION:** Treva McCall, Executive Secretary to the Commission at (202) 634-6748.

—This Notice Issued April 19, 1983.

[S-559-83 Filed 4-20-83; 11:24 am]

BILLING CODE 6570-06-M

3

### FEDERAL DEPOSIT INSURANCE CORPORATION

Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, April 18, 1983, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the withdrawal from the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Recommendation regarding the liquidation of a bank's assets acquired by the

Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,658-NR: United States National Bank, San Diego, California

The Board further determined, by the same majority vote, that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,670-L: Newport Harbour National Bank, Newport Beach, California

By the same majority vote, the Board further determined that no earlier notice of the changes in the subject matter of the meeting was practicable.

Dated: April 18, 1983.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-563-83 Filed 4-20-83; 1:01 pm]

BILLING CODE 6714-01-M

4

### FEDERAL DEPOSIT INSURANCE CORPORATION

Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, April 18, 1983, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Application of First American Bank for Savings, Boston, Massachusetts, an insured mutual savings bank, for consent to acquire the assets of and assume the liability to pay deposits made in Workingmen's Co-Operative Bank, Boston, Massachusetts, a non-federally-insured institution, and to establish the eight existing offices of Workingmen's Co-Operative Bank as

branches of First American Bank for Savings.

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,868-L: American City Bank & Trust Company, National Association, Milwaukee, Wisconsin

The Board further determined, by the same majority vote, that no earlier notice of the changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

Dated: April 18, 1983.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-564-83 Filed 4-20-83; 1:01 pm]

BILLING CODE 6714-01-M

5

#### FEDERAL ENERGY REGULATORY COMMISSION

Notice of Meeting

April 18, 1983.

TIME AND DATE: 10 a.m., April 25, 1983.

PLACE: Room 9310, 825 North Capitol Street, NE., Washington, D.C. 20426.

STATUS: Closed.

#### MATTERS TO BE CONSIDERED:

(1) *Utah Power & Light Co., et al. v. FERC* S.Ct. No. 82-1312.

(2) *McDowell County Consumers Council Inc. v. American Electric Power Co., et al.*, Docket No. E-9208.

#### CONTACT PERSON FOR MORE

INFORMATION: Kenneth F. Plumb, Secretary, Telephone (202) 357-8400.

Federal Energy Regulatory Commission

#### Certification

I hereby certify that, in my opinion, Commission deliberations concerning *Utah Power and Light Co., et al. v. FERC*, S.Ct. No. 82-1312, scheduled on April 25, 1983, (and any subsequent meetings on the same matter that qualify under 18 CFR 375.206(a)) may properly be closed to public observation.

Discussions are likely to involve the agency's participation in a civil action.

The relevant exemptions on which this certification is based are set forth in the following provisions of law:

Section 552b(c) of Title 5 of the United States Code	Section 375.205(a) of Title 18 of the Code of Federal Regulations
(10)	(10)

Dated: April 13, 1983.

Charles A. Moore,

General Counsel.

Federal Energy Regulatory Commission

#### Certification

I hereby certify that, in my opinion, Commission deliberations concerning *McDowell County Consumers Council Inc. v. American Electric Power Co., et al.*, Docket No. E-9208, scheduled on April 25, 1983, [and any subsequent meetings on the same matter that qualify under 18 C.F.R. § 385.206(a)] may properly be closed to public observation.

Discussions are likely to disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action. Discussions are also likely specifically to concern the conduct by the agency of a particular case involving a determination on the record after opportunity for hearing.

The relevant exemptions on which this certification is based are set forth in the following provisions of law:

Section 552b(c) of Title 5 of the United States Code	Section 375.205(a) of Title 18 of the Code of Federal Regulations
(9)(B), (10)	(9) (ii), (10)(ii)

Dated: April 14, 1983.

Charles A. Moore,

General Counsel.

[S-568-83 Filed 4-20-83; 3:04 pm]

BILLING CODE 6717-01-M

6

FEDERAL HOME LOAN BANK BOARD  
"FEDERAL REGISTER" CITATION OF  
PREVIOUS ANNOUNCEMENT. 48 FR 16375,  
Friday, April 15, 1983.

PLACE: Board room sixth floor, 1700 G Street NW., Washington, D.C.

STATUS: Open meeting.

#### CONTACT PERSON FOR MORE

INFORMATION: Ms. Gravlee (202-377-6679).

CHANGES IN THE MEETING: The following item has been withdrawn from the open portion of the Bank Board Meeting scheduled Wednesday, April 20, 1983, at 10 a.m.

Interstate Operations of Insured Institutions.  
[No. 34, April 20, 1983]

[S-569-83 Filed 4-20-83; 11:44 am]

BILLING CODE 6720-01-M

7

FEDERAL HOME LOAN BANK BOARD

TIME AND DATE: 2:30 p.m., Tuesday, April 26, 1983.

PLACE: Board room sixth floor, 1700 G Street NW., Washington, D.C.

STATUS: Open meeting.

#### CONTACT PERSON FOR MORE

INFORMATION: Ms. Gravlee (202-377-6670).

#### MATTERS TO BE CONSIDERED:

Request for Commitment to Insure Accounts—(Proposed) Luther Burbank Savings and Loan Association (New Stock), Santa Rosa, California

Application for Bank Membership and Insurance of Accounts—Santa Ynez Valley Savings and Loan Association, Solvang, California (In Organization)

Branch Office Application—Home Savings of America, a FS&LA, Los Angeles, California  
[No. 35, April 20, 1983]

[S-566-83 Filed 4-20-83; 2:23 pm]

BILLING CODE 6720-01-M

8

#### FEDERAL RESERVE SYSTEM

(Board of Governors)

TIME AND DATE: Approximately 11 a.m., Wednesday, April 27, 1983, following a recess at the conclusion of the open meeting.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

#### MATTERS TO BE CONSIDERED:

1. Federal Reserve Bank and Branch director appointments.
2. Proposed follow-up report to Congress on the International Banking Act of 1978.
3. Issues relating to Federal Reserve notes.
4. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
5. Any items carried forward from a previously announced meeting.

#### CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board, (202) 452-3204.

Dated: April 19, 1983.

James McAfee,

Associate Secretary of the Board.

[S-557-83 Filed 4-20-83; 10:56 am]

BILLING CODE 6210-01-M

9

#### FEDERAL RESERVE SYSTEM

(Board of Governors)

TIME AND DATE: 10 a.m., Wednesday, April 27, 1983.

PLACE: Board building, C Street entrance between 20th and 21st Streets NW., Washington, D.C. 20551.

STATUS: Open.



**MATTERS TO BE CONSIDERED: Summary Agenda:** Because of their routine nature, no substantive discussion of the following items is anticipated. These matters will be voted on without discussion unless a member of the Board requests that an item be moved to the discussion agenda:

1. Proposed extension of Reports of Selected Borrowings (FR 2415, FR 2415a).
2. Proposed extension of Government securities dealers reports (FR 2004 a, b, c, and d).

**Discussion Agenda:**

3. Publication for comment of proposed criteria for selecting high dollar group sort institutions.

4. Consideration of proposals relating to reduction and pricing of Federal Reserve check float. (Proposed earlier for public comment; Docket No. R-0433)

5. Any items carried forward from a previously announced meeting.

**Note.**—This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board's Freedom of Information Office, and copies may be ordered for \$5 per cassette by calling (202) 452-3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

**CONTACT PERSON FOR MORE INFORMATION:** Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: April 19, 1983.

James McAfee,  
Associate Secretary of the Board.

[S-558-83 Filed 4-20-83; 10:56 am]

BILLING CODE 6210-01-M

**10**

**NATIONAL MEDIATION BOARD**

**TIME AND DATE:** 2 p.m., Wednesday, May 4, 1983.

**PLACE:** Board Hearing Room, Eighth floor, 1425 K Street NW., Washington, D.C.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:**

1. Ratification of Board actions taken by notation voting during the month of April, 1983.
2. Other priority matters which may come before the Board for which notice will be given at the earliest practicable time.

**SUPPLEMENTARY INFORMATION:** Copies of the monthly report of the Board's notation voting actions will be available from the Executive Secretary's office following the meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Mr. Rowland K. Quinn, Jr., Executive Secretary, Tel: (202) 523-5920.

Dated: April 19, 1983.

[S-558-83 Filed 4-20-83; 10:51 am]

BILLING CODE 7550-01-M

**11**

**OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION**

**"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:** 48 FR 12887, March 28, 1983.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING:** 10 a.m., April 21, 1983.

**CHANGES IN THE MEETING:** This meeting has been canceled.

Dated: April 20, 1983.

[S-507-83 Filed 4-20-83; 2:51 pm]

BILLING CODE 7600-01-M

**12**

**SECURITIES AND EXCHANGE COMMISSION**

**"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:** 48 FR 15999, April 13, 1983.

**STATUS:** Open/closed meeting.

**PLACE:** 450 5th Street NW., Washington, D.C.

**DATE PREVIOUSLY ANNOUNCED:** Friday, April 8, 1983.

**CHANGES IN THE MEETING:** Rescheduling/ additional items. The following open item scheduled for Wednesday, April 20, 1983, at 10 a.m. has been rescheduled for Thursday, April 28, 1983, at 10 a.m.:

Consideration of whether to propose for public comment Rule 3a12-8 under the Securities Exchange Act of 1934 ("Act") designating certain foreign government debt instruments as exempted securities under the Act solely for purposes of the trading of futures contracts governing such instruments. For further information, please contact Kevin Fogart at (202) 272-2416.

The following additional items will be considered at a closed meeting scheduled for Wednesday, April 20, 1983, following the 10 a.m. open meeting:

Settlement of administrative proceeding of an enforcement nature.

Withdraw institution of injunctive active.

Commissioner Treadway, as duty officer, determined that Commission business required the above changes and that no earlier notice thereof was possible.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any matters have been added, deleted or postponed, please contact: Diane Klinke at (202) 272-2014.

April 19, 1983.

[S-555-83 Filed 4-19-83; 4:14 pm]

BILLING CODE 8010-01-M

**13**

**SECURITIES AND EXCHANGE COMMISSION**

**"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:** 48 FR 15999, April 13, 1983.

**STATUS:** Open/closed meeting.

**PLACE:** 450 5th Street, NW., Washington, D.C.

**DATE PREVIOUSLY ANNOUNCED:** Friday, April 8, 1983.

**CHANGES IN THE MEETING:** Rescheduling.

An open meeting scheduled for Wednesday, April 20, 1983, at 10 a.m. followed by a closed meeting has been rescheduled for Friday, April 22, 1983, at 9:300 a.m.

Chairman Shad and Commissioners Longstreth and Treadway determined that Commission business required the above change and that no earlier notice thereof was possible.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any matters have been added, deleted or postponed, please contact: Diane Klinke at (202) 272-2014.

April 19, 1983.

[S-561-83 Filed 4-20-83; 11:44 am]

BILLING CODE 8010-01-M

**14**

**SECURITIES AND EXCHANGE COMMISSION**

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of April 25, 1983, at 450 5th Street, N.W., Washington, D.C.

Closed meetings will be held on Tuesday, April 26, 1983, at 10 a.m., following the 2:30 p.m. open meeting and on Thursday, April 28, 1983, at 10 a.m. An open meeting will be held on Tuesday, April 26, 1983, at 2:30 p.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meetings. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meetings may be considered pursuant to one or more of the exemptions set forth in 5

U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10).

Chairman Shad and Commissioners Evans, Longstreth and Treadway voted to consider the items listed for the closed meetings in closed session.

The subject matter of the closed meeting scheduled for Tuesday, April 26, at 10 a.m., will be:

Access to investigative files by Federal, State, or Self-regulatory authorities.  
Settlement of administrative proceeding for and enforcement nature.  
Formal order of investigation.  
Institution of injunctive actions.  
Litigation matter.

The subject matter of the closed meeting scheduled for Tuesday, April 26, 1983, following the 2:30 p.m., will be:

Post oral argument discussion.

The subject matter of the closed meeting scheduled for Thursday, April 28, 1983, at 10 a.m., will be:

Institution of injunctive actions.

The subject matter of the open meeting scheduled for Tuesday, April 26, 1983, at 2:30 p.m., will be:

Oral argument on an appeal by Henry Leroy Heybrock and Richard O. White from the initial decision of an administrative law judge. For further information, please contact R. Moshe Simon at (202) 272-7400.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Steve Boehm at (202) 272-2467.

April 19, 1983.

[S-562-83 Filed 4-20-83; 11:44 am]

BILLING CODE 8010-01-M

15

#### TENNESSEE VALLEY AUTHORITY

[Meeting No. 1310]

**TIME AND DATE:** 10:15 a.m. (e.d.t.),  
Wednesday, April 27, 1983.

**PLACE:** TVA West Tower Auditorium,  
400 West Summit Hill Drive, Knoxville,  
Tennessee.

**STATUS:** Open.

#### AGENDA ITEM:

Approval of minutes of meetings held on April 6 and April 11, 1983.

#### A—Project Authorizations

A1. Project Authorization No. 3652—  
Replace and rearrange generator circuit  
breakers and cables at Ocoee No. 1 Hydro  
Plant.

A2. Project Authorization No. 3656—  
Maintenance, renovation, construction, and  
repair of TVA facilities under Public Law No.  
98-8 and the Tennessee Valley Authority Act  
of 1933, as amended.

#### B—Purchase Awards

\*B1. Negotiation 67-196476 for fuel  
channels for Browns Ferry Nuclear Plant;  
deletion of fuel channels from Hartsville and  
Phipps Bend Nuclear plants, contracts 73C60-  
75210 and 75K60-84840-I with General  
Electric Company.

B2. Amendments to contract with  
Westinghouse Electric Corporation covering  
the nuclear steam supply systems for Watts  
Bar Nuclear Plant, units 1 and 2.

#### C—Power Items

\*Item approved by individual Board members.  
This would give normal ratification to the Board's  
action.

C1. Supplement to Contract TV-59584A  
and Contract No. TV-61104A between TVA  
and Cottrell Environmental Sciences for  
Spray Dryer/E-Beam Project at Shawnee  
Scrubber Test Facility.

\*C2. Uranium loan agreement with Union  
Carbide Corporation for the loan of 1,000,000  
pounds of uranium concentrates.

\*C3. Delegation of authority to dispose of  
certain uranium mineral and surface interests  
under contract TV-36479A between  
American Nuclear Corporation and TVA.

#### D—Personnel Items

\*D1. Amendment to personal services  
contract with Miller & Miller Auctioneers,  
Inc., Fort Worth, Texas, to provide auctioneer  
services to sell surplus equipment and  
materials located at deferred nuclear plant  
sites, requested by the Division of  
Purchasing.

D2. Contract with Coopers & Lybrand, New  
York, New York, for audit of TVA's financial  
statements for fiscal year 1983, requested by  
the Division of Finance.

3. Renewal of consulting contract with  
Stanley D. Wilson, Seattle, Washington, for  
services in connection with geotechnic and  
foundation engineering, requested by the  
Office of Engineering Design and  
Construction.

#### F—Unclassified

F1. Changes in designation of certifying  
officers authorized to approve payments  
made by TVA.

#### CONTACT PERSON FOR MORE

**INFORMATION:** Craven H. Crowell, Jr.,  
Director of Information, or a member of  
his staff can respond to requests for  
information about this meeting. Call  
(615) 632-3257, Knoxville, Tennessee.  
Information is also available at TVA's  
Washington Office (202) 245-0101.

Dated: April 20, 1983.

[S-565-83 Filed 4-20-83; 1:59 pm]

BILLING CODE 8120-01-M

# General Federal Register

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Friday  
April 22, 1983

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## Part II

## Department of Labor

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Employment and Training Administration

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Civil Jurisdictions Classified as High  
Unemployment Areas Under Public Law  
98-8

**DEPARTMENT OF LABOR****Employment and Training  
Administration****Civil Jurisdictions Classified as High  
Unemployment Areas Under Public  
Law 98-8**

**AGENCY:** Employment and Training  
Administration, Labor.

**ACTION:** Notice.

**DATE:** This list is effective April 23, 1983.

**SUMMARY:** The Employment and Training Administration is announcing the list of civil jurisdictions classified by the Assistant Secretary as having high unemployment, pursuant to Public Law 98-8.

**FOR FURTHER INFORMATION CONTACT:**  
Mr. Richard C. Gilliland, Director,  
United States Employment Service,

Employment and Training  
Administration, Room 8000, 601 D Street,  
NW., Washington, D.C. 20213.  
Telephone 202-376-6289.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(3) of Pub. L. 98-8, 97 Stat. 13 (March 24, 1983), (the "Act") requires the Assistant Secretary for Employment and Training, United States Department of Labor, to

classify a civil jurisdiction as having high unemployment whenever, as determined by the Bureau of Labor Statistics using the latest comparable data available from Departmental, State, or local sources, the civil jurisdiction has had an average unadjusted employment rate over the previous twelve months of not less than ninety percent of the unadjusted average unemployment rate for all States during the same period. The Assistant Secretary, upon petition submitted by the appropriate State agency, may classify a civil jurisdiction as having high unemployment whenever the

civil jurisdiction has experienced or is about to experience a sudden economic dislocation resulting in job loss that is significant both in terms of the number of jobs eliminated and the effect upon the employment rate of the area.

97 Stat. at 29-30. Section 101(a)(3) of the Act further requires the Assistant Secretary to publish a list of civil jurisdictions with high unemployment, together with descriptions thereof, as soon as practicable, but no later than 30 days after the date of enactment of the Act. 97 Stat. at 30. That list is published below. The list will be updated on a monthly basis hereafter, by adding civil jurisdictions that the Assistant Secretary deems to meet the above criteria. *id.*

Signed at Washington, D.C., this 19th day of April, 1983.

**Albert Angrisani,**  
*Assistant Secretary of Labor.*

**BILLING CODE 4510-30-M**

PAGE 2

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

## ALABAMA (CONT)

BALANCE OF JEFFERSON COUNTY  
 LAMAR COUNTY  
 LAUDERDALE COUNTY  
 LAWRENCE COUNTY  
 LEE COUNTY  
 LIMESTONE COUNTY  
 LOWNDES COUNTY  
 MACON COUNTY  
 BALANCE OF MADISON COUNTY  
 MARENGO COUNTY  
 MARION COUNTY  
 MARSHALL COUNTY  
 MOBILE CITY  
 BALANCE OF MOBILE COUNTY  
 MONROE COUNTY  
 MONTGOMERY CITY  
 MORGAN COUNTY  
 PERRY COUNTY  
 PICKENS COUNTY  
 PIKE COUNTY  
 RANDOLPH COUNTY  
 RUSSELL COUNTY  
 SHELBY COUNTY  
 ST. CLAIR COUNTY  
 SUMTER COUNTY  
 TALLADEGA COUNTY  
 TALLAPOOSA COUNTY  
 TUSCALOOSA CITY  
 BALANCE OF TUSCALOOSA COUNTY  
 WALKER COUNTY  
 WASHINGTON COUNTY  
 WILCOX COUNTY  
 WINSTON COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

## ALABAMA

AUTAUGA COUNTY  
 BALDWIN COUNTY  
 BARBOUR COUNTY  
 BIBB COUNTY  
 BIRMINGHAM CITY  
 BLOUNT COUNTY  
 BULLOCK COUNTY  
 BUTLER COUNTY  
 CALHOUN COUNTY  
 CHAMBERS COUNTY  
 CHEROKEE COUNTY  
 CHILTON COUNTY  
 CHOCTAW COUNTY  
 CLARKE COUNTY  
 CLAY COUNTY  
 CLEBURNE COUNTY  
 COFFEE COUNTY  
 COLBERT COUNTY  
 CONECUH COUNTY  
 COOSA COUNTY  
 COVINGTON COUNTY  
 CRENSHAW COUNTY  
 CULLMAN COUNTY  
 DALE COUNTY  
 DALLAS COUNTY  
 DE KALB COUNTY  
 ELMORE COUNTY  
 ESCAMBIA COUNTY  
 ETOWAH COUNTY  
 FAYETTE COUNTY  
 FRANKLIN COUNTY  
 GENEVA COUNTY  
 GREENE COUNTY  
 HALE COUNTY  
 HENRY COUNTY  
 HOUSTON COUNTY  
 HUNTSVILLE CITY  
 MADISON COUNTY  
 JACKSON COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
ALASKA	<p>ANGOOK DIVISION</p> <p>BETHEL DIVISION</p> <p>BRISTOL BAY BOROUGH DIV</p> <p>CORDOVA-MCCARTHY DIVISION</p> <p>FAIRBANKS DIVISION</p> <p>HAINES DIVISION</p> <p>KENAI-COOK INLET DIVISION</p> <p>KETCHIKAN DIVISION</p> <p>KOBUK DIVISION</p> <p>KODIAK DIVISION</p> <p>KUSKOKWIM DIVISION</p> <p>MATANUSKA-SUSITNA DIV</p> <p>OUTER KETCHIKAN DIVISION</p> <p>PRINCE OF WALES DIVISION</p> <p>SEWARD DIVISION</p> <p>SITKA DIVISION</p> <p>SKAGWAY-YAKUTAT DIVISION</p> <p>SOUTHEAST FAIRBANKS DIV</p> <p>UPPER YUKON DIVISION</p> <p>VALDEZ-CHITINA-WHITTIER</p> <p>WADE HAMPTON DIVISION</p> <p>WRANGELL-PETERSBURG DIV</p> <p>YUKON-KOYUKUK DIVISION</p>

## ALASKA

ANGOOK DIVISION

BETHEL DIVISION

BRISTOL BAY BOROUGH DIV

CORDOVA-MCCARTHY DIVISION

FAIRBANKS DIVISION

HAINES DIVISION

KENAI-COOK INLET DIVISION

KETCHIKAN DIVISION

KOBUK DIVISION

KODIAK DIVISION

KUSKOKWIM DIVISION

MATANUSKA-SUSITNA DIV

OUTER KETCHIKAN DIVISION

PRINCE OF WALES DIVISION

SEWARD DIVISION

SITKA DIVISION

SKAGWAY-YAKUTAT DIVISION

SOUTHEAST FAIRBANKS DIV

UPPER YUKON DIVISION

VALDEZ-CHITINA-WHITTIER

WADE HAMPTON DIVISION

WRANGELL-PETERSBURG DIV

YUKON-KOYUKUK DIVISION

## ARIZONA

APACHE COUNTY

COCHISE COUNTY

COCONINO COUNTY

GILA COUNTY

GRAHAM COUNTY

GREENLEE COUNTY

BALANCE OF MARICOPA COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
ARIZONA (CONT)	<p>MOHAVE COUNTY</p> <p>NAVAJO COUNTY</p> <p>BALANCE OF PIMA COUNTY</p> <p>PINAL COUNTY</p> <p>SANTA CRUZ COUNTY</p> <p>TUCSON CITY</p> <p>TUCSON CITY IN</p> <p>PIMA COUNTY</p> <p>YAVAPAI COUNTY</p> <p>YUMA/LA PAZ COUNTY</p>

## ARIZONA (CONT)

MOHAVE COUNTY

NAVAJO COUNTY

BALANCE OF PIMA COUNTY

PINAL COUNTY

SANTA CRUZ COUNTY

TUCSON CITY

TUCSON CITY IN

PIMA COUNTY

YAVAPAI COUNTY

YUMA/LA PAZ COUNTY

## ARKANSAS

ASHLEY COUNTY

BRADLEY COUNTY

CHICOT COUNTY

CLAY COUNTY

CLEBURNE COUNTY

CLEVELAND COUNTY

CONWAY COUNTY

CRAIGHEAD COUNTY

CRAWFORD COUNTY

CRITTENDEN COUNTY

CROSS COUNTY

DALLAS COUNTY

DESHA COUNTY

DREW COUNTY

FAULKNER COUNTY

FORT SMITH CITY

FRANKLIN COUNTY

FULTON COUNTY

GARLAND COUNTY

GRANT COUNTY

GREENE COUNTY

HOT SPRING COUNTY

INDEPENDENCE COUNTY

JACKSON COUNTY

(CONTINUED)



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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
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## CALIFORNIA

AMADOR COUNTY	AMADOR COUNTY
BALDWIN PARK CITY	BALDWIN PARK CITY IN
BELLFLOWER CITY	LOS ANGELES COUNTY
BERKELEY CITY	BELLFLOWER CITY IN
BUENA PARK CITY	LOS ANGELES COUNTY
BUTTE COUNTY	BERKELEY CITY IN
CALAVERAS COUNTY	ALAMEDA COUNTY
CARSON CITY	BUENA PARK CITY IN
CHULA VISTA CITY	ORANGE COUNTY
COLUSA COUNTY	BUTTE COUNTY
COMPTON CITY	CALAVERAS COUNTY
DALY CITY	CARSON CITY IN
DEL NORTE COUNTY	LOS ANGELES COUNTY
EL CAJON CITY	CHULA VISTA CITY IN
EL DORADO COUNTY	SAN DIEGO COUNTY
EL MONTE CITY	COLUSA COUNTY
ESCONDIDO CITY	COMPTON CITY IN
FAIRFIELD CITY	LOS ANGELES COUNTY
FRESNO CITY	DALY CITY IN
BALANCE OF FRESNO COUNTY	SAN MATEO COUNTY
GLENN COUNTY	DEL NORTE COUNTY
HAYWARD CITY	EL CAJON CITY IN
HUMBOLDT COUNTY	SAN DIEGO COUNTY
IMPERIAL COUNTY	EL DORADO COUNTY
	EL MONTE CITY IN
	LOS ANGELES COUNTY
	ESCONDIDO CITY IN
	SAN DIEGO COUNTY
	FAIRFIELD CITY IN
	SOLANO COUNTY
	FRESNO CITY IN
	FRESNO COUNTY
	FRESNO COUNTY LESS
	FRESNO CITY
	GLENN COUNTY
	HAYWARD CITY IN
	ALAMEDA COUNTY
	HUMBOLDT COUNTY
	IMPERIAL COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
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## ARKANSAS (CONT)

BALANCE OF JEFFERSON COUNTY	JEFFERSON COUNTY LESS
JOHNSON COUNTY	PINE BLUFF CITY
LAWRENCE COUNTY	JOHNSON COUNTY
LEE COUNTY	LAWRENCE COUNTY
LINCOLN COUNTY	LEE COUNTY
LOGAN COUNTY	LINCOLN COUNTY
MISSISSIPPI COUNTY	LOGAN COUNTY
MONROE COUNTY	MISSISSIPPI COUNTY
MONTGOMERY COUNTY	MONROE COUNTY
NEVADA COUNTY	MONTGOMERY COUNTY
NEWTON COUNTY	NEVADA COUNTY
OUACHITA COUNTY	NEWTON COUNTY
PHILLIPS COUNTY	OUACHITA COUNTY
PIKE COUNTY	PERRY COUNTY
PINE BLUFF CITY	PHILLIPS COUNTY
POINSETT COUNTY	PIKE COUNTY
POLK COUNTY	PINE BLUFF CITY IN
PRAIRIE COUNTY	JEFFERSON COUNTY
RANDOLPH COUNTY	POINSETT COUNTY
SALINE COUNTY	POLK COUNTY
SEARCY COUNTY	POPE COUNTY
BALANCE OF SEBASTIAN COUNTY	PRAIRIE COUNTY
SEVIER COUNTY	RANDOLPH COUNTY
SHARP COUNTY	SALINE COUNTY
ST. FRANCIS COUNTY	SCOTT COUNTY
STONE COUNTY	SEARCY COUNTY
VAN BUREN COUNTY	SEBASTIAN COUNTY LESS
WHITE COUNTY	FORT SMITH CITY
WOODRUFF COUNTY	SEVIER COUNTY
	SHARP COUNTY
	ST. FRANCIS COUNTY
	STONE COUNTY
	VAN BUREN COUNTY
	WHITE COUNTY
	WOODRUFF COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

## ELIGIBLE HIGH UNEMPLOYMENT AREAS

## CALIFORNIA (CONT)

INGLEWOOD CITY  
 INYO COUNTY  
 BALANCE OF KERN COUNTY  
 KINGS COUNTY  
 LAKE COUNTY  
 LASSEN COUNTY  
 LONG BEACH CITY  
 LOS ANGELES CITY  
 MADERA COUNTY  
 MARIPOSA COUNTY  
 MENDOCINO COUNTY  
 MERCED COUNTY  
 MODESTO CITY  
 MODOC COUNTY  
 MONO COUNTY  
 BALANCE OF MONTEREY COUNTY  
 NAPA CITY  
 NEVADA COUNTY  
 NORWALK CITY  
 OAKLAND CITY  
 OCEANSIDE CITY  
 ONTARIO CITY  
 OXNARD CITY  
 PICO RIVERA CITY  
 PLACER COUNTY  
 PLUMAS COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

## ELIGIBLE HIGH UNEMPLOYMENT AREAS

## CALIFORNIA (CONT)

POMONA CITY  
 RICHMOND CITY  
 RIVERSIDE CITY  
 BALANCE OF RIVERSIDE COUNTY  
 SACRAMENTO CITY  
 BALANCE OF SACRAMENTO COUNTY  
 SALINAS CITY  
 SAN BENITO COUNTY  
 SAN BERNARDINO CITY  
 BALANCE OF SAN BERNARDINO COUNTY  
 SAN DIEGO CITY  
 BALANCE OF SAN DIEGO COUNTY  
 BALANCE OF SAN JOAQUIN COUNTY  
 SAN JOSE CITY  
 SANTA ANA CITY  
 SANTA CRUZ COUNTY  
 SANTA ROSA CITY  
 SHASTA COUNTY

(CONTINUED)

## CIVIL JURISDICTIONS INCLUDED

POMONA CITY IN  
 LOS ANGELES COUNTY  
 RICHMOND CITY IN  
 CONTRA COSTA COUNTY  
 RIVERSIDE CITY IN  
 RIVERSIDE COUNTY  
 RIVERSIDE COUNTY LESS  
 RIVERSIDE CITY  
 SACRAMENTO CITY IN  
 SACRAMENTO COUNTY  
 SACRAMENTO COUNTY LESS  
 SACRAMENTO CITY  
 SALINAS CITY IN  
 MONTEREY COUNTY  
 SAN BENITO COUNTY  
 SAN BERNARDINO CITY IN  
 SAN BERNARDINO COUNTY  
 SAN BERNARDINO COUNTY LESS  
 ONTARIO CITY  
 RANCHO CUCAMONGA CITY  
 SAN BERNARDINO CITY  
 SAN DIEGO CITY IN  
 SAN DIEGO COUNTY  
 SAN DIEGO COUNTY LESS  
 CHULA VISTA CITY  
 EL CAJON CITY  
 ESCONDIDO CITY  
 LA MESA CITY  
 OCEANSIDE CITY  
 SAN DIEGO CITY  
 SAN JOAQUIN COUNTY LESS  
 STOCKTON CITY  
 SAN JOSE CITY IN  
 SANTA CLARA COUNTY  
 SANTA ANA CITY IN  
 ORANGE COUNTY  
 SANTA CRUZ COUNTY  
 SANTA ROSA CITY IN  
 SONOMA COUNTY  
 SHASTA COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

COLORADO (CONT)

DELTA COUNTY  
DOLORES COUNTY  
EAGLE COUNTY  
ELBERT COUNTY  
FREMONT COUNTY  
GARFIELD COUNTY  
GILPIN COUNTY  
GREELEY CITY IN  
WELD COUNTY  
LA PLATA COUNTY  
LAKE COUNTY  
LAS ANIMAS COUNTY  
MESA COUNTY  
MINERAL COUNTY  
MOFFAT COUNTY  
MONTEZUMA COUNTY  
MONTROSE COUNTY  
MORGAN COUNTY  
OTERO COUNTY  
OURAY COUNTY  
PARK COUNTY  
PUEBLO CITY IN  
PUEBLO COUNTY  
PUEBLO COUNTY LESS  
PUEBLO CITY  
RIO GRANDE COUNTY  
SAGUACHE COUNTY  
SAN JUAN COUNTY  
SAN MIGUEL COUNTY  
TELLER COUNTY

ANSONIA TOWN  
BRIDGEPORT CITY  
BRISTOL CITY  
GOSHEN TOWN  
HARTFORD CITY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

CALIFORNIA (CONT)

SIERRA COUNTY  
SIMI VALLEY CITY  
SISKIYOU COUNTY  
BALANCE OF SOLANO COUNTY  
VALLEJO CITY  
SONOMA COUNTY LESS  
SANTA ROSA CITY  
SOUTH GATE CITY  
LOS ANGELES COUNTY  
STANISLAUS COUNTY LESS  
MODESTO CITY  
STOCKTON CITY IN  
SAN JOAQUIN COUNTY  
SUTTER COUNTY  
TEHAMA COUNTY  
TRINITY COUNTY  
TULARE COUNTY  
TUOLUMNE COUNTY  
VENTURA CITY  
VENTURA COUNTY  
VENTURA COUNTY LESS  
OXNARD CITY  
SIMI VALLEY CITY  
THOUSAND OAKS CITY  
VENTURA CITY  
YOLO COUNTY  
YUBA COUNTY

ALAMOSA COUNTY  
ARCHULETA COUNTY  
CHAFFEE COUNTY  
CLEAR CREEK COUNTY  
CONEJOS COUNTY  
COSTILLA COUNTY

(CONTINUED)

COLORADO

ALAMOSA COUNTY  
ARCHULETA COUNTY  
CHAFFEE COUNTY  
CLEAR CREEK COUNTY  
CONEJOS COUNTY  
COSTILLA COUNTY

(CONTINUED)

CONNECTICUT

ANSONIA TOWN  
BRIDGEPORT CITY  
BRISTOL CITY  
GOSHEN TOWN  
HARTFORD CITY

(CONTINUED)

BALANCE OF PUEBLO COUNTY

RIO GRANDE COUNTY  
SAGUACHE COUNTY  
SAN JUAN COUNTY  
SAN MIGUEL COUNTY  
TELLER COUNTY

**CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8**

CIVIL JURISDICTIONS INCLUDED.

## ELIGIBLE HIGH UNEMPLOYMENT AREAS

**FLORIDA**

BAY COUNTY  
CALHOUN COUNTY  
COLLIER COUNTY  
BALANCE OF DADE COUNTY

BAY COUNTY  
CALHOUN COUNTY  
COLLIER COUNTY  
DADE COUNTY LESS  
HIALEAH CITY  
MIAMI CITY

DE SOTO COUNTY  
EFFLAGLER COUNTY  
FRANKLIN COUNTY  
GLADES COUNTY  
GULF COUNTY  
HARDEE COUNTY  
HENDRY COUNTY  
HERNANDO COUNTY  
HIALEAH CITY

MIAMI BEACH CITY  
DE SOTO COUNTY  
FLAGLER COUNTY  
FRANKLIN COUNTY  
GLADES COUNTY  
GULF COUNTY  
HARDEE COUNTY  
HENDRY COUNTY  
HERNANDO COUNTY  
HIALEAH CITY IN  
DADE COUNTY

HIGHLANDS COUNTY  
 HOLMES COUNTY  
 INDIAN RIVER COUNTY  
 JACKSON COUNTY  
 LAFAYETTE COUNTY  
 LAKE COUNTY  
 LIBERTY COUNTY  
 MIAMI BEACH CITY

HIGHLANDS COUNTY  
HOLMES COUNTY  
INDIAN RIVER COUNTY  
JACKSON COUNTY  
LAFAYETTE COUNTY  
LAKE COUNTY  
LIBERTY COUNTY  
MIAMI BEACH CITY IN  
DADE COUNTY

MIAMI CITY

MIAMI CITY IN  
DADE COUNTY

NASSAU COUNTY  
OKEECHOBEE COUNTY  
POLK COUNTY  
ST. JOHN COUNTY  
ST. LUCIE COUNTY  
SUMMER COUNTY  
SUWANNEE COUNTY  
TAYLOR COUNTY  
WASHINGTON COUNTY

NASSAU COUNTY  
 OKEECHOBEE COUNTY  
 POLK COUNTY  
 ST. JOHN COUNTY  
 ST. LUCIE COUNTY  
 SUMTER COUNTY  
 SUWANNEE COUNTY  
 TAYLOR COUNTY  
 WASHINGTON COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

CIVIL JURISDICTIONS INCLUDED

## ELIGIBLE HIGH UNEMPLOYMENT AREAS

CONNECTICUT (CONT)

HARTLAND TOWN  
HARWINTON TOWN  
KILLINGLY TOWN  
LITCHFIELD TOWN  
MERIDEN CITY  
MORRIS TOWN  
NAUGATUCK TOWN  
NEW BRITAIN CITY  
PLAINFIELD TOWN  
PLAINVILLE TOWN  
PLYMOUTH TOWN  
PUTNAM TOWN  
SEYMOUR TOWN  
SPRAGUE TOWN  
STAFFORD TOWN  
THOMASTON TOWN  
THOMPSON TOWN  
TORRINGTON CITY  
VOLLINTOWN TOWN  
WATERBURY CITY  
WINCHESTER TOWN  
WOLCOTT TOWN

HARTLAND TOWN  
HARWINTON TOWN  
KILLINGLY TOWN  
LITCHFIELD TOWN  
MERIDEN CITY  
MORRIS TOWN  
NANAUKATUCK TOWN  
NEW BRITAIN CITY  
PLAINFIELD TOWN  
PLAINVILLE TOWN  
PLYMOUTH TOWN  
PUTNAM TOWN  
SEYMOUR TOWN  
SPRAGUE TOWN  
STAFFORD TOWN  
THOMASTON TOWN  
THOMPSON TOWN  
TORTONSTON CITY  
VOLUNTOWN TOWN  
WATERBURY CITY  
WINCHESTER TOWN  
WOLCOTT TOWN

DELAWARE

KENT COUNTY  
WILMINGTON CITY

KENT COUNTY  
WILMINGTON CITY IN  
NEW CASTLE COUNTY

DIST OF COLUMBIA

WASHINGTON DC CITY

DISTRICT OF COLUMBIA

(CONTINUED)

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

GEORGIA (CONT)

JENKINS COUNTY  
JOHNSON COUNTY  
LAMAR COUNTY  
LAURENS COUNTY  
LINCOLN COUNTY  
MACON COUNTY  
MC DUFFIE COUNTY  
MC INTOSH COUNTY  
MERIWETHER COUNTY  
MITCHELL COUNTY  
MURRAY COUNTY  
OGLETHORPE COUNTY  
PICKENS COUNTY  
PIERCE COUNTY  
POLK COUNTY  
QUITMAN COUNTY  
RABUN COUNTY  
RANDOLPH COUNTY  
SPALDING COUNTY  
STEPHENS COUNTY  
STEWART COUNTY  
SUMTER COUNTY  
TALBOT COUNTY  
TALIAFERRO COUNTY  
TERRELL COUNTY  
TURNER COUNTY  
UNION COUNTY  
UPSON COUNTY  
WALKER COUNTY  
WARE COUNTY  
WARREN COUNTY  
WAYNE COUNTY  
WHITE COUNTY  
WHITFIELD COUNTY  
WILCOX COUNTY  
WILKES COUNTY  
WORTH COUNTY

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

GEORGIA

ALBANY CITY  
ATKINSON COUNTY  
ATLANTA CITY  
BACON COUNTY  
BARROW COUNTY  
BARTOW COUNTY  
BEN HILL COUNTY  
BERRIEN COUNTY  
BRANTLEY COUNTY  
BUTTS COUNTY  
CALHOUN COUNTY  
CHATTOOGA COUNTY  
CLINCH COUNTY  
COFFEE COUNTY  
COLQUITT COUNTY  
COOK COUNTY  
COWETA COUNTY  
CRAWFORD COUNTY  
CRISP COUNTY  
DAWSON COUNTY  
DOOLY COUNTY  
EARLY COUNTY  
ELBERT COUNTY  
EMANUEL COUNTY  
FANNIN COUNTY  
FLOYD COUNTY  
FRANKLIN COUNTY  
GILMER COUNTY  
GLASCOCK COUNTY  
GORDON COUNTY  
GREENE COUNTY  
HALL COUNTY  
HARALSON COUNTY  
HARRIS COUNTY  
HART COUNTY  
HEARD COUNTY  
JEFFERSON COUNTY

(CONTINUED)

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
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2	2
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98	98
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100	100

ILLINOIS (CONT)

HAWAII COUNTY

CHRISTIAN COUNTY  
CICERO CITY

ADAMS COUNTY  
BANNOCK COUNTY  
BEAR LAKE COUNTY  
BENEWAH COUNTY  
BLAINE COUNTY  
BOISE COUNTY  
BONNER COUNTY  
BOUNDARY COUNTY  
CAMAAS COUNTY  
CANYON COUNTY  
CARIBOU COUNTY  
CLEARWATER COUNTY  
ELMORE COUNTY  
FERMONT COUNTY  
GEM COUNTY  
IDAHO COUNTY  
KOOTENAI COUNTY  
LEHI COUNTY  
LEWIS COUNTY  
POWER COUNTY  
SHOSHONE COUNTY  
VALLEY COUNTY

ADAMS COUNTY  
ALEXANDER COUNTY  
AURORA CITY IN

FAYETTE COUNTY  
FORD COUNTY  
FRANKLIN COUNTY

(CONTINUED)

CALHOUN COUNTY  
CARROLL COUNTY  
CHICAGO CITY IN  
COOK COUNTY  
CHRISTIAN COUNTY  
CICERO CITY IN  
COOK COUNTY  
CLARK COUNTY  
CLAY COUNTY  
CLINTON COUNTY  
COLES COUNTY  
COOK COUNTY LESS  
ARLINGTON HEIGHTS CITY  
CHICAGO CITY  
CICERO CITY  
DES PLAINES CITY  
ELGIN CITY  
EVANSTON CITY  
MOUNT PROSPECT VILLAGE  
OAK LAWN CITY  
OAK PARK CITY  
SKOKIE CITY  
CRAWFORD COUNTY  
CUMBERLAND COUNTY  
DE WITT COUNTY  
DECATUR CITY IN  
MACON COUNTY  
DES PLAINES CITY IN  
COOK COUNTY  
EAST ST. LOUIS CITY IN  
ST. CLAIR COUNTY  
EDGAR COUNTY  
EDWARDS COUNTY  
EFFINGHAM COUNTY  
ELGIN CITY IN  
COOK COUNTY  
KANE COUNTY  
FAYETTE COUNTY  
FORD COUNTY  
FRANKLIN COUNTY

CRAWFORD COUNTY  
CUMBERLAND COUNTY  
DE WITT COUNTY  
DECATUR CITY  
DES PLAINES CITY  
EAST ST. LOUIS CITY

COOK COUNTY  
EAST ST. LOUIS CITY IN  
ST. CLAIR COUNTY  
EDGAR COUNTY  
EDWARDS COUNTY  
EPPINGHAM COUNTY  
ELGIN CITY IN  
COOK COUNTY  
KANE COUNTY  
FAYETTE COUNTY  
FORD COUNTY  
FRANKLIN COUNTY

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

ILLINOIS (CONT)

MONROE COUNTY  
MONTGOMERY COUNTY  
MORGAN COUNTY  
MOULTRIE COUNTY  
OAK LAWN CITY  
COOK COUNTY  
OGLE COUNTY  
PEORIA CITY  
PEORIA COUNTY  
PEORIA COUNTY LESS  
PERRY COUNTY  
PIATT COUNTY  
PIKE COUNTY  
POPE COUNTY  
PULASKI COUNTY  
PUTNAM COUNTY  
RANDOLPH COUNTY  
RICHLAND COUNTY  
ROCK ISLAND COUNTY  
ROCKFORD CITY  
SALINE COUNTY  
SANGAMON COUNTY  
SCOTT COUNTY  
SHELBY COUNTY  
SPRINGFIELD CITY  
ST. CLAIR COUNTY  
EAST ST. LOUIS CITY  
STARK COUNTY  
STEPHENSON COUNTY  
TAZEWELL COUNTY  
UNION COUNTY  
VERMILION COUNTY  
WABASH COUNTY  
WARREN COUNTY  
WASHINGTON COUNTY  
WAUKEGAN CITY  
LAKE COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

ILLINOIS (CONT)

FULTON COUNTY  
GALLATIN COUNTY  
GREENE COUNTY  
GRUNDY COUNTY  
HAMILTON COUNTY  
HANCOCK COUNTY  
HARDIN COUNTY  
HENDERSON COUNTY  
HENRY COUNTY  
IROQUOIS COUNTY  
JACKSON COUNTY  
JASPER COUNTY  
JEFFERSON COUNTY  
JERSEY COUNTY  
JO DAVIES COUNTY  
JOHNSON COUNTY  
JOLIET CITY  
BALANCE OF KANE COUNTY  
KANKAKEE COUNTY  
KENDALL COUNTY  
KNOX COUNTY  
LA SALLE COUNTY  
LAWRENCE COUNTY  
LEE COUNTY  
LIVINGSTON COUNTY  
LOGAN COUNTY  
MACON COUNTY  
MACON COUNTY LESS  
DECATUR CITY  
MACOUPIN COUNTY  
MADISON COUNTY  
MARION COUNTY  
MARSHALL COUNTY  
MASON COUNTY  
MASSAC COUNTY  
MC DONOUGH COUNTY  
MC HENRY COUNTY  
MERCER COUNTY

(CONTINUED)



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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

INDIANA (CONT)

FAYETTE COUNTY	FAYETTE COUNTY
FLOYD COUNTY	FLOYD COUNTY
FOUNTAIN COUNTY	FOUNTAIN COUNTY
FRANKLIN COUNTY	FRANKLIN COUNTY
FT WAYNE CITY	FT WAYNE CITY IN
	ALLEN COUNTY
FULTON COUNTY	FULTON COUNTY
GARY CITY	GARY CITY IN
	LAKE COUNTY
GIBSON COUNTY	GIBSON COUNTY
GRANT COUNTY	GRANT COUNTY
GREENE COUNTY	GREENE COUNTY
HAMMOND CITY	HAMMOND CITY IN
	LAKE COUNTY
HARRISON COUNTY	HARRISON COUNTY
HENRY COUNTY	HENRY COUNTY
HOWARD COUNTY	HOWARD COUNTY
HUNTINGTON COUNTY	HUNTINGTON COUNTY
INDIANAPOLIS CITY	INDIANAPOLIS CITY IN
	MARION COUNTY
JACKSON COUNTY	JACKSON COUNTY
JASPER COUNTY	JASPER COUNTY
JAY COUNTY	JAY COUNTY
JEFFERSON COUNTY	JEFFERSON COUNTY
JENNINGS COUNTY	JENNINGS COUNTY
JOHNSON COUNTY	JOHNSON COUNTY
KNOX COUNTY	KNOX COUNTY
LA PORTE COUNTY	LA PORTE COUNTY
LAGRANGE COUNTY	LAGRANGE COUNTY
LAKE COUNTY LESS	LAKE COUNTY LESS
GARY CITY	GARY CITY
	HAMMOND CITY
LAWRENCE COUNTY	LAWRENCE COUNTY
MADISON COUNTY LESS	MADISON COUNTY LESS
ANDERSON CITY	ANDERSON CITY
MARSHALL COUNTY	MARSHALL COUNTY
MARTIN COUNTY	MARTIN COUNTY
MIAMI COUNTY	MIAMI COUNTY
MONROE COUNTY LESS	MONROE COUNTY LESS
BLOOMINGTON CITY	BLOOMINGTON CITY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

ILLINOIS (CONT)

WAYNE COUNTY	WAYNE COUNTY
WHITE COUNTY	WHITE COUNTY
WHITESIDE COUNTY	WHITESIDE COUNTY
BALANCE OF WILL COUNTY	WILL COUNTY LESS
	JOLIET CITY
WILLIAMSON COUNTY	WILLIAMSON COUNTY
BALANCE OF WINNEBAGO COUNTY	WINNEBAGO COUNTY LESS
	ROCKFORD CITY
WOODFORD COUNTY	WOODFORD COUNTY

  

ADAMS COUNTY	ADAMS COUNTY
BALANCE OF ALLEN COUNTY	ALLEN COUNTY LESS
	FT WAYNE CITY
ANDERSON CITY	ANDERSON CITY IN
	MADISON COUNTY
BARTHOLOMEW COUNTY	BARTHOLOMEW COUNTY
BENTON COUNTY	BENTON COUNTY
BLACKFORD COUNTY	BLACKFORD COUNTY
BLOOMINGTON CITY	BLOOMINGTON CITY IN
	MONROE COUNTY
CARROLL COUNTY	CARROLL COUNTY
CASS COUNTY	CASS COUNTY
CLARK COUNTY	CLARK COUNTY
CLAY COUNTY	CLAY COUNTY
CLINTON COUNTY	CLINTON COUNTY
CRAWFORD COUNTY	CRAWFORD COUNTY
DAVIES COUNTY	DAVIES COUNTY
DE KALB COUNTY	DE KALB COUNTY
DEARBORN COUNTY	DEARBORN COUNTY
DECATUR COUNTY	DECATUR COUNTY
BALANCE OF DELAWARE COUNTY	DELAWARE COUNTY LESS
	MUNCIE CITY
DUBOIS COUNTY	DUBOIS COUNTY
ELKHART COUNTY	ELKHART COUNTY
EVANSVILLE CITY	EVANSVILLE CITY IN
	VANDERBURGH COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

INDIANA (CONT)

MONTGOMERY COUNTY  
MORGAN COUNTY  
MUNCIE CITY

MONTGOMERY COUNTY  
MORGAN COUNTY  
MUNCIE CITY IN  
DELAWARE COUNTY

NEWTON COUNTY  
NOBLE COUNTY  
OHIO COUNTY  
ORANGE COUNTY  
OWEN COUNTY  
PARKE COUNTY  
PERRY COUNTY  
PIKE COUNTY  
PORTER COUNTY  
PULASKI COUNTY  
PUTNAM COUNTY  
RANDOLPH COUNTY  
RIPLEY COUNTY  
RUSH COUNTY  
SCOTT COUNTY  
SHELBY COUNTY  
SOUTH BEND CITY

NEWTON COUNTY  
NOBLE COUNTY  
OHIO COUNTY  
ORANGE COUNTY  
OWEN COUNTY  
PARKE COUNTY  
PERRY COUNTY  
PIKE COUNTY  
PORTER COUNTY  
PULASKI COUNTY  
PUTNAM COUNTY  
RANDOLPH COUNTY  
RIPLEY COUNTY  
RUSH COUNTY  
SCOTT COUNTY  
SHELBY COUNTY  
SOUTH BEND CITY IN  
ST. JOSEPH COUNTY  
SPENCER COUNTY

BALANCE OF BLACK HAWK COUNTY

BREMER COUNTY  
BUCHANAN COUNTY  
BUTLER COUNTY  
CEDAR RAPIDS CITY

BLACK HAWK COUNTY LESS  
WATERLOO CITY

ALLAMAKEE COUNTY  
APPANOOSE COUNTY  
BENTON COUNTY  
BLACK HAWK COUNTY  
BREMER COUNTY  
BUCHANAN COUNTY  
BUTLER COUNTY  
CEDAR RAPIDS CITY IN  
LINN COUNTY

CHICKASAW COUNTY  
CLAYTON COUNTY  
CLINTON COUNTY  
DAVENPORT CITY

CHICKASAW COUNTY  
CLAYTON COUNTY  
CLINTON COUNTY  
DAVENPORT CITY IN  
SCOTT COUNTY

SPENCER COUNTY  
BALANCE OF ST. JOSEPH COUNTY

ST. JOSEPH COUNTY LESS

STARKE COUNTY  
STEBEN COUNTY  
SULLIVAN COUNTY  
SWITZERLAND COUNTY  
TERRE HAUTE CITY

STARKE COUNTY  
STEBEN COUNTY  
SULLIVAN COUNTY  
SWITZERLAND COUNTY  
TERRE HAUTE CITY IN  
VIGO COUNTY

TIPTON COUNTY  
UNION COUNTY  
VERMILLION COUNTY  
BALANCE OF VIGO COUNTY

BALANCE OF DUBUQUE COUNTY

EMMET COUNTY  
FAYETTE COUNTY  
FLOYD COUNTY  
JACKSON COUNTY  
JASPER COUNTY  
JEFFERSON COUNTY  
JONES COUNTY  
KEOKUK COUNTY

EMMET COUNTY  
FAYETTE COUNTY  
FLOYD COUNTY  
JACKSON COUNTY  
JASPER COUNTY  
JEFFERSON COUNTY  
JONES COUNTY  
KEOKUK COUNTY

(CONTINUED)

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

KENTUCKY (CONT)

BULLITT COUNTY  
BUTLER COUNTY  
CALDWELL COUNTY  
CALLOWAY COUNTY  
CAMPBELL COUNTY  
CARLISLE COUNTY  
CARTER COUNTY  
CASEY COUNTY  
CHRISTIAN COUNTY  
CLARK COUNTY  
CLAY COUNTY  
CLINTON COUNTY  
CRITTENDEN COUNTY  
CUMBERLAND COUNTY  
DAVIES COUNTY  
OWENSBORO CITY  
EDMONSON COUNTY  
ELLIOTT COUNTY  
ESTILL COUNTY  
FLEMING COUNTY  
FLOYD COUNTY  
FULTON COUNTY  
GALLATIN COUNTY  
GARRARD COUNTY  
GRANT COUNTY  
GRAVES COUNTY  
GRAYSON COUNTY  
GREENUP COUNTY  
HANCOCK COUNTY  
HARDIN COUNTY  
HARLAN COUNTY  
HARRISON COUNTY  
HART COUNTY  
HENDERSON COUNTY  
HENRY COUNTY  
HICKMAN COUNTY  
HOPKINS COUNTY  
JACKSON COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

IOWA (CONT)

LEE COUNTY  
LINN COUNTY  
CEDAR RAPIDS CITY  
MARSHALL COUNTY  
MONROE COUNTY  
SAC COUNTY  
SCOTT COUNTY  
DAVENPORT CITY  
VAN BUREN COUNTY  
WAPELLO COUNTY  
WATERLOO CITY  
BLACK HAWK COUNTY

KANSAS

COWLEY COUNTY  
LABETTE COUNTY  
MONTGOMERY COUNTY  
SUMNER COUNTY  
WABAUNSEE COUNTY  
WICHITA CITY  
WICHITA COUNTY  
SEDGWICK COUNTY

KENTUCKY

ALLEN COUNTY  
ANDERSON COUNTY  
BARREN COUNTY  
BATH COUNTY  
BELL COUNTY  
BOONE COUNTY  
BOYD COUNTY  
BOYLE COUNTY  
BRACKEN COUNTY  
BREATHITT COUNTY  
BRECKINRIDGE COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

KENTUCKY (CONT)

PERRY COUNTY  
PIKE COUNTY  
POWELL COUNTY  
PULASKI COUNTY  
ROBERTSON COUNTY  
ROCKCASTLE COUNTY  
ROMAN COUNTY  
RUSSELL COUNTY  
SIMPSON COUNTY  
SPENCER COUNTY  
TODD COUNTY  
TRIGG COUNTY  
TRIMBLE COUNTY  
WARREN COUNTY  
WASHINGTON COUNTY  
WAYNE COUNTY  
WHITLEY COUNTY  
WOLFE COUNTY

ACADIA PARISH  
ALEXANDRIA CITY IN  
RAPIDES PARISH  
ALLEN PARISH  
ASCENSION PARISH  
ASSUMPTION PARISH  
AVOUELLES PARISH  
BEAUREGARD PARISH  
BIENVILLE PARISH  
BOSSIER PARISH LESS  
BOSSIER CITY  
SHREVEPORT CITY  
CADDO PARISH LESS  
SHREVEPORT CITY  
CALCASIEU PARISH LESS  
LAKE CHARLES CITY  
CALDWELL PARISH

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

KENTUCKY (CONT)

JEFFERSON COUNTY  
LOUISVILLE CITY  
JOHNSON COUNTY  
KENTON COUNTY  
KNOTT COUNTY  
KNOX COUNTY  
LARUE COUNTY  
LAUREL COUNTY  
LAWRENCE COUNTY  
LEE COUNTY  
LESLIE COUNTY  
LETCHER COUNTY  
LEWIS COUNTY  
LINCOLN COUNTY  
LIVINGSTON COUNTY  
LOGAN COUNTY  
LOUISVILLE CITY  
LYON COUNTY  
MAGOFFIN COUNTY  
MARION COUNTY  
MARSHALL COUNTY  
MASON COUNTY  
MC CREARY COUNTY  
MC LEAN COUNTY  
MEADE COUNTY  
MENEFEE COUNTY  
MERCER COUNTY  
METCALFE COUNTY  
MONROE COUNTY  
MONTGOMERY COUNTY  
MORGAN COUNTY  
MUHLENBERG COUNTY  
NELSON COUNTY  
NICHOLAS COUNTY  
OHIO COUNTY  
OWENSBORO CITY  
OWSLEY COUNTY  
PENDLETON COUNTY

(CONTINUED)

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

LOUISIANA (CONT)

ST. JOHN BAPTIST PARISH  
ST. LANDRY PARISH  
ST. MARTIN PARISH  
ST. MARY PARISH  
ST. TAMMANY PARISH  
TANGIPAHOA PARISH  
TENSAS PARISH  
UNION PARISH  
VERNON PARISH  
WASHINGTON PARISH  
WEBSTER PARISH  
WEST BATON ROUGE PARISH  
WEST CARROLL PARISH  
WEST FELICIANA PARISH  
WINN PARISH

MAINE

ANDROSCOGGIN COUNTY  
AROSTOOK COUNTY  
OXFORD COUNTY  
SOMERSET COUNTY  
WALDO COUNTY  
WASHINGTON COUNTY

MARYLAND

ALLEGANY COUNTY  
BALTIMORE CITY  
BALTIMORE COUNTY  
CALVERT COUNTY  
CAROLINE COUNTY  
CARROLL COUNTY  
CECIL COUNTY  
DORCHESTER COUNTY  
FREDERICK COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

LOUISIANA (CONT)

CATAHOULA PARISH  
CLAIBORNE PARISH  
CONCORDIA PARISH  
DE SOTO PARISH  
EAST CARROLL PARISH  
EAST FELICIANA PARISH  
EVANGELINE PARISH  
FRANKLIN PARISH  
GRANT PARISH  
IBERIA PARISH  
IBERVILLE PARISH  
JACKSON PARISH  
JEFFERSON DAVIS PARISH  
JEFFERSON PARISH LESS  
KENNER CITY  
LA SALLE PARISH  
LAKE CHARLES CITY IN  
CALCASIEU PARISH  
LIVINGSTON PARISH  
MADISON PARISH  
MONROE CITY IN  
MONROE CITY  
MOREHOUSE PARISH  
NATCHITOCHES PARISH  
NEW ORLEANS CITY IN  
ORLEANS PARISH  
OUACHITA PARISH LESS  
MONROE CITY  
POINTE COUPEE PARISH  
RAPIDES PARISH LESS  
ALEXANDRIA CITY  
RED RIVER PARISH  
RICHLAND PARISH  
SABINE PARISH  
SHREVEPORT CITY IN  
BOSSIER PARISH  
CADDOPARISH  
ST. BERNARD PARISH  
ST. HELENA PARISH  
ST. JAMES PARISH

LA SALLE PARISH  
LAKE CHARLES CITY

LIVINGSTON PARISH  
MADISON PARISH  
MONROE CITY

MOREHOUSE PARISH  
NATCHITOCHES PARISH  
NEW ORLEANS CITY

BALANCE OF OUACHITA PARISH

POINTE COUPEE PARISH  
BALANCE OF RAPIDES PARISH

RED RIVER PARISH  
RICHLAND PARISH  
SABINE PARISH  
SHREVEPORT CITY

ST. BERNARD PARISH  
ST. HELENA PARISH  
ST. JAMES PARISH

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

MASSACHUSETTS (CONT.)

BROOKFIELD TOWN	BROOKFIELD TOWN IN
CHARLEMONT TOWN	WORCESTER COUNTY
CHARLTON TOWN	CHARLEMONT TOWN IN
CHELSEA CITY	FRANKLIN COUNTY
CHESTER TOWN	CHARLTON TOWN IN
CHESTERFIELD TOWN	WORCESTER COUNTY
CLARKSBURG TOWN	CHELSEA CITY IN
CLINTON TOWN	SUFFOLK COUNTY
CUMMINGTON TOWN	CHESTER TOWN IN
DARTMOUTH TOWN	HAMPDEN COUNTY
DIGHTON TOWN	CHESTERFIELD TOWN IN
DOUGLAS TOWN	HAMPSHIRE COUNTY
EAST BRIDGEWATER TOWN	CLARKSBURG TOWN IN
EASTHAM TOWN	CLINTON TOWN IN
ERVING TOWN	WORCESTER COUNTY
EVERETT CITY	CUMMINGTON TOWN IN
FAIRHAVEN TOWN	HAMPSHIRE COUNTY
FALL RIVER CITY	DARTMOUTH TOWN IN
FALMOUTH TOWN	BRISTOL COUNTY
FITCHBURG CITY	DIGHTON TOWN IN
	BRISTOL COUNTY
	DOUGLAS TOWN IN
	WORCESTER COUNTY
	EAST BRIDGEWATER TOWN IN
	PLYMOUTH COUNTY
	BARNSTABLE COUNTY
	ERVING TOWN IN
	FRANKLIN COUNTY
	EVERETT CITY IN
	MIDDLESEX COUNTY
	FAIRHAVEN TOWN IN
	BRISTOL COUNTY
	FALL RIVER CITY IN
	BRISTOL COUNTY
	FALMOUTH TOWN IN
	BARNSTABLE COUNTY
	FITCHBURG CITY IN
	WORCESTER COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

MARYLAND (CONT.)

GARRETT COUNTY	GARRETT COUNTY
HARFORD COUNTY	HARFORD COUNTY
KENT COUNTY	KENT COUNTY
QUEEN ANNES COUNTY	QUEEN ANNES COUNTY
SOMERSET COUNTY	SOMERSET COUNTY
WASHINGTON COUNTY	WASHINGTON COUNTY
WICOMICO COUNTY	WICOMICO COUNTY
WORCESTER COUNTY	WORCESTER COUNTY
AMESBURY TOWN	AMESBURY TOWN IN
ASHBURNHAM TOWN	ESSEX COUNTY
ASHBY TOWN	ASHBURNHAM TOWN IN
ATHOL TOWN	ASHBY TOWN IN
ATTLEBORO CITY	MIDDLESEX COUNTY
AYER TOWN	ATHOL TOWN IN
BARNSTABLE TOWN	WORCESTER COUNTY
BELCHERTON TOWN	ATTLEBORO CITY IN
BERKLEY TOWN	BRISTOL COUNTY
BLACKSTONE TOWN	AYER TOWN IN
BLANDFORD TOWN	MIDDLESEX COUNTY
BOSTON CITY	BARNSTABLE TOWN IN
BROCKTON CITY	BARNSTABLE COUNTY
	BELCHERTON TOWN IN
	HAMPSHIRE COUNTY
	BERKLEY TOWN IN
	BRISTOL COUNTY
	BLACKSTONE TOWN IN
	WORCESTER COUNTY
	BLANDFORD TOWN IN
	HAMPDEN COUNTY
	BOSTON CITY IN
	SUFFOLK COUNTY
	BROCKTON CITY IN
	PLYMOUTH COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-6

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
MASSACHUSETTS (CONT)	FLORIDA TOWN IN BERKSHIRE COUNTY FREETOWN TOWN IN BRISTOL COUNTY GARDNER TOWN IN WORCESTER COUNTY GLOUCESTER CITY IN ESSEX COUNTY GREENFIELD TOWN IN FRANKLIN COUNTY HANCOCK TOWN IN BERKSHIRE COUNTY HANSON TOWN IN PLYMOUTH COUNTY HARDWICK TOWN IN WORCESTER COUNTY HARWICH TOWN IN BARNSTABLE COUNTY HAVERHILL CITY IN ESSEX COUNTY HAWLEY TOWN IN FRANKLIN COUNTY HOLLAND TOWN IN HAMPDEN COUNTY HOLYOKE CITY IN HAMPDEN COUNTY HOPEDALE TOWN IN WORCESTER COUNTY HUBBARDSTON TOWN IN WORCESTER COUNTY HULL TOWN IN PLYMOUTH COUNTY HUNTINGTON TOWN IN HAMPDEN COUNTY LAKEVILLE TOWN IN PLYMOUTH COUNTY LANESBOUGH TOWN IN BERKSHIRE COUNTY LAWRENCE CITY IN ESSEX COUNTY

MASSACHUSETTS (CONT)

FLORIDA TOWN IN  
BERKSHIRE COUNTY  
FREETOWN TOWN IN  
BRISTOL COUNTY  
GARDNER TOWN IN  
WORCESTER COUNTY  
GLOUCESTER CITY IN  
ESSEX COUNTY  
GREENFIELD TOWN IN  
FRANKLIN COUNTY  
HANCOCK TOWN IN  
BERKSHIRE COUNTY  
HANSON TOWN IN  
PLYMOUTH COUNTY  
HARDWICK TOWN IN  
WORCESTER COUNTY  
HARWICH TOWN IN  
BARNSTABLE COUNTY  
HAVERHILL CITY IN  
ESSEX COUNTY  
HAWLEY TOWN IN  
FRANKLIN COUNTY  
HOLLAND TOWN IN  
HAMPDEN COUNTY  
HOLYOKE CITY IN  
HAMPDEN COUNTY  
HOPEDALE TOWN IN  
WORCESTER COUNTY  
HUBBARDSTON TOWN IN  
WORCESTER COUNTY  
HULL TOWN IN  
PLYMOUTH COUNTY  
HUNTINGTON TOWN IN  
HAMPDEN COUNTY  
LAKEVILLE TOWN IN  
PLYMOUTH COUNTY  
LANESBOUGH TOWN IN  
BERKSHIRE COUNTY  
LAWRENCE CITY IN  
ESSEX COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
MASSACHUSETTS (CONT)	LEICESTER TOWN IN WORCESTER COUNTY LEOMINSTER CITY IN WORCESTER COUNTY LEYDEN TOWN IN FRANKLIN COUNTY LOWELL CITY IN MIDDLESEX COUNTY MARION TOWN IN PLYMOUTH COUNTY MATTAPOISETT TOWN IN PLYMOUTH COUNTY MIDDLEBOROUGH TOWN IN PLYMOUTH COUNTY MIDDLEFIELD TOWN IN HAMPSHIRE COUNTY MILFORD TOWN IN WORCESTER COUNTY MILLBURY TOWN IN WORCESTER COUNTY MILLVILLE TOWN IN WORCESTER COUNTY MONROE TOWN IN FRANKLIN COUNTY NEW BEDFORD CITY IN BRISTOL COUNTY NEW SALEM TOWN IN FRANKLIN COUNTY NEWBURY TOWN IN ESSEX COUNTY NEWBURYPORT CITY IN ESSEX COUNTY NORTH ADAMS TOWN IN BERKSHIRE COUNTY NORTHBRIDGE TOWN IN WORCESTER COUNTY NORTON TOWN IN BRISTOL COUNTY OAK BLUFFS TOWN IN DUKES COUNTY

MASSACHUSETTS (CONT)

LEICESTER TOWN  
LEOMINSTER CITY  
LEYDEN TOWN  
LOWELL CITY  
MARION TOWN  
MATTAPOISETT TOWN  
MIDDLEBOROUGH TOWN  
MIDDLEFIELD TOWN  
MILFORD TOWN  
MILLBURY TOWN  
MILLVILLE TOWN  
MONROE TOWN  
NEW BEDFORD CITY  
NEW SALEM TOWN  
NEWBURY TOWN  
NEWBURYPORT CITY  
NORTH ADAMS TOWN  
NORTHBRIDGE TOWN  
NORTON TOWN  
OAK BLUFFS TOWN

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

MASSACHUSETTS (CONT)

SOMERSET TOWN	SOMERSET TOWN IN
SOUTHBURGE TOWN	BRISTOL COUNTY
SPRINGFIELD CITY	SOUTHBURGE TOWN IN
STURBRIDGE TOWN	WORCESTER COUNTY
SUTTON TOWN	SPRINGFIELD CITY IN
SWANSEA TOWN	HAMPDEN COUNTY
TAUNTON CITY	STURBRIDGE TOWN IN
TEMPLETON TOWN	WORCESTER COUNTY
TOLLAND TOWN	SUTTON TOWN IN
TRURO TOWN	WORCESTER COUNTY
UXBRIDGE TOWN	SWANSEA TOWN IN
WALES TOWN	BRISTOL COUNTY
WARE TOWN	TAUNTON CITY IN
WAREHAM TOWN	BRISTOL COUNTY
WARWICK TOWN	TEMPLETON TOWN IN
WASHINGTON TOWN	WORCESTER COUNTY
WEBSTER TOWN	TOLLAND TOWN IN
WELLFLEET TOWN	HAMPDEN COUNTY
WENDELL TOWN	TRURO TOWN IN
WEST NEWBURY TOWN	BARNSTABLE COUNTY
	UXBRIDGE TOWN IN
	WORCESTER COUNTY
	WALES TOWN IN
	HAMPDEN COUNTY
	WARE TOWN IN
	HAMPSHIRE COUNTY
	WAREHAM TOWN IN
	PLYMOUTH COUNTY
	WARWICK TOWN IN
	FRANKLIN COUNTY
	WASHINGTON TOWN IN
	BERKSHIRE COUNTY
	WEBSTER TOWN IN
	WORCESTER COUNTY
	WELLFLEET TOWN IN
	BARNSTABLE COUNTY
	WENDELL TOWN IN
	FRANKLIN COUNTY
	WEST NEWBURY TOWN IN
	ESSEX COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

MASSACHUSETTS (CONT)

OAKHAM TOWN	OAKHAM TOWN IN
ORANGE TOWN	WORCESTER COUNTY
OXFORD TOWN	ORANGE TOWN IN
PEMBROKE TOWN	FRANKLIN COUNTY
PEPPERELL TOWN	OXFORD TOWN IN
PHILLIPSTON TOWN	WORCESTER COUNTY
PITTSFIELD CITY	PLYMOUTH COUNTY
PLAINFIELD TOWN	PEPPERELL TOWN IN
PROVINCETOWN TOWN	MIDDLESEX COUNTY
RAYNHAM TOWN	PHILLIPSTON TOWN IN
REHOBOTH TOWN	WORCESTER COUNTY
REVERE CITY	PITTSFIELD CITY IN
ROCHESTER TOWN	BERKSHIRE COUNTY
ROCKLAND TOWN	PLAINFIELD TOWN IN
ROCKPORT TOWN	HAMPSHIRE COUNTY
ROYALSTON TOWN	PROVINCETOWN TOWN IN
SALISBURY TOWN	BARNSTABLE COUNTY
SAVOY TOWN	RAYNHAM TOWN IN
SEEKONK TOWN	BRISTOL COUNTY
SHIRLEY TOWN	REHOBOTH TOWN IN
	BRISTOL COUNTY
	REVERE CITY IN
	SUFFOLK COUNTY
	ROCHESTER TOWN IN
	PLYMOUTH COUNTY
	ROCKLAND TOWN IN
	PLYMOUTH COUNTY
	ROCKPORT TOWN IN
	ESSEX COUNTY
	ROYALSTON TOWN IN
	WORCESTER COUNTY
	SALISBURY TOWN IN
	ESSEX COUNTY
	SAVOY TOWN IN
	BERKSHIRE COUNTY
	SEEKONK TOWN IN
	BRISTOL COUNTY
	SHIRLEY TOWN IN
	MIDDLESEX COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

MICHIGAN (CONT)

DEARBORN HEIGHTS CITY	DEARBORN HEIGHTS CITY IN
DELTA COUNTY	WAYNE COUNTY
DETROIT CITY	DELTA COUNTY
DICKINSON COUNTY	WAYNE COUNTY
EAST LANSING CITY	DICKINSON COUNTY
BALANCE OF EATON COUNTY	EAST LANSING CITY IN
EMMET COUNTY	INGHAM COUNTY
FARMINGTON HILLS CITY	EATON COUNTY LESS
FLINT CITY	LANSING CITY
BALANCE OF GENESEE COUNTY	EMMET COUNTY
GLADWIN COUNTY	FARMINGTON HILLS CITY IN
GOGEBIC COUNTY	OAKLAND COUNTY
GRAND RAPIDS CITY	FLINT CITY IN
GRAND TRAVERSE COUNTY	GENESEE COUNTY
GRATIOT COUNTY	FLINT CITY
HILLSDALE COUNTY	GLADWIN COUNTY
HURON COUNTY	GOGEBIC COUNTY
BALANCE OF INGHAM COUNTY	GRAND RAPIDS CITY IN
IONIA COUNTY	KENT COUNTY
IOSCO COUNTY	GRAND TRAVERSE COUNTY
IRON COUNTY	GRATIOT COUNTY
JACKSON COUNTY	HILLSDALE COUNTY
KALAMAZOO CITY	Houghton County
BALANCE OF KALAMAZOO COUNTY	HURON COUNTY
KALASKA COUNTY	INGHAM COUNTY LESS
BALANCE OF KENT COUNTY	EAST LANSING CITY
	LANSING CITY
	IONIA COUNTY
	IOSCO COUNTY
	IRON COUNTY
	JACKSON COUNTY
	KALAMAZOO CITY IN
	KALAMAZOO COUNTY
	KALAMAZOO COUNTY LESS
	KALAMAZOO CITY
	KALASKA COUNTY
	KENT COUNTY LESS
	GRAND RAPIDS CITY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

MASSACHUSETTS (CONT)

WESTPORT TOWN	WESTPORT TOWN IN
WILLIAMSBURG TOWN	BRISTOL COUNTY
WINCHENDON TOWN	WILLIAMSBURG TOWN IN
WORCESTER CITY	HAMPSHIRE COUNTY
WORTHINGTON TOWN	WINCHENDON TOWN IN
	WORCESTER COUNTY
	WORCESTER CITY IN
	WORTHINGTON TOWN IN
	HAMPSHIRE COUNTY
ALCONA COUNTY	ALCONA COUNTY
ALGER COUNTY	ALGER COUNTY
ALLEGAN COUNTY	ALLEGAN COUNTY
ALPENA COUNTY	ALPENA COUNTY
ANTRIM COUNTY	ANTRIM COUNTY
ARENAC COUNTY	ARENAC COUNTY
BARAGA COUNTY	BARAGA COUNTY
BARRY COUNTY	BARRY COUNTY
BAY COUNTY	BAY COUNTY
BENZIE COUNTY	BENZIE COUNTY
BERRIEN COUNTY	BERRIEN COUNTY
BRANCH COUNTY	BRANCH COUNTY
CALHOUN COUNTY	CALHOUN COUNTY
CASS COUNTY	CASS COUNTY
CHARLEVOIX COUNTY	CHARLEVOIX COUNTY
CHEBOYGAN COUNTY	CHEBOYGAN COUNTY
CHIPPewa COUNTY	CHIPPewa COUNTY
CLARE COUNTY	CLARE COUNTY
CLINTON COUNTY	CLINTON COUNTY
CLINTON TOWNSHIP	CLINTON TOWNSHIP IN
CRAWFORD COUNTY	MACOMB COUNTY
DEARBORN CITY	CRAWFORD COUNTY
	DEARBORN CITY IN
	WAYNE COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS  
CIVIL JURISDICTIONS INCLUDED

MICHIGAN (CONT)

OSCEOLA COUNTY	OSCEOLA COUNTY
OSCODA COUNTY	OSCODA COUNTY
OTSEGO COUNTY	OTSEGO COUNTY
PONTIAC CITY	PONTIAC CITY IN
PONTIAC COUNTY	OAKLAND COUNTY
PRESQUE ISLE COUNTY	PRESQUE ISLE COUNTY
REDFORD TOWNSHIP	REDFORD TOWNSHIP IN
ROSCOMMON COUNTY	WAYNE COUNTY
ROSEVILLE CITY	ROSCOMMON COUNTY
ROYAL OAK CITY	MACOMB COUNTY
SAGINAW CITY	ROYAL OAK CITY IN
BALANCE OF SAGINAW COUNTY	OAKLAND COUNTY
SANILAC COUNTY	SAGINAW CITY IN
SCHOOLCRAFT COUNTY	SAGINAW COUNTY LESS
SHIAWASSEE COUNTY	SAGINAW CITY
SOUTHFIELD CITY	SANILAC COUNTY
ST CLAIR SHORES CITY	SCHOOLCRAFT COUNTY
ST. CLAIR COUNTY	SHIAWASSEE COUNTY
ST. JOSEPH COUNTY	SOUTHFIELD CITY IN
STERLING HEIGHTS CITY	OAKLAND COUNTY
TAYLOR CITY	ST CLAIR SHORES CITY IN
TROY CITY	MACOMB COUNTY
TUSCOLA COUNTY	ST. CLAIR COUNTY
VAN BUREN COUNTY	ST. JOSEPH COUNTY
WARREN CITY	STERLING HEIGHTS CITY IN
BALANCE OF WASHTENAW COUNTY	MACOMB COUNTY
	TAYLOR CITY IN
	WAYNE COUNTY
	TROY CITY IN
	OAKLAND COUNTY
	TUSCOLA COUNTY
	VAN BUREN COUNTY
	WARREN CITY IN
	MACOMB COUNTY
	WASHTENAW COUNTY LESS
	ANN ARBOR CITY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS  
CIVIL JURISDICTIONS INCLUDED

MICHIGAN (CONT)

BALANCE OF KENT COUNTY (CONT)	WYOMING CITY
KEWEENAW COUNTY	KEWEENAW COUNTY
LAKE COUNTY	LAKE COUNTY
LANSING CITY	LANSING CITY IN
	EATON COUNTY
	INGHAM COUNTY
	LAPEER COUNTY
	LEELANAU COUNTY
	LENAWEE COUNTY
	LIVINGSTON COUNTY
	LUCE COUNTY
	MACKINAC COUNTY
	MACOMB COUNTY LESS
	CLINTON TOWNSHIP
	ROSEVILLE CITY
	ST CLAIR SHORES CITY
	STERLING HEIGHTS CITY
	WARREN CITY
	MANISTEE COUNTY
	MARQUETTE COUNTY
	MASON COUNTY
	MECOSTA COUNTY
	MENOMINEE COUNTY
	MIDLAND COUNTY
	MISSAUKEE COUNTY
	MONROE COUNTY
	MONTCALM COUNTY
	MONTMORENCY COUNTY
	MUSKEGON COUNTY
	NEWAYGO COUNTY
	OAKLAND COUNTY LESS
	FARMINGTON HILLS CITY
	PONTIAC CITY
	ROYAL OAK CITY
	SOUTHFIELD CITY
	TROY CITY
	WATERFORD TOWNSHIP
	OCEANA COUNTY
	OGEMAW COUNTY
	ONTONAGON COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

MICHIGAN (CONT)

WATERFORD TOWNSHIP  
BALANCE OF WAYNE COUNTY

WATERFORD TOWNSHIP IN  
OAKLAND COUNTY  
WAYNE COUNTY LESS  
DEARBORN CITY  
DEARBORN HEIGHTS CITY  
DETROIT CITY  
LIVONIA CITY  
REDFORD TOWNSHIP  
TAYLOR CITY  
WESTLAND CITY IN  
WAYNE COUNTY  
WEXFORD COUNTY  
WYOMING CITY IN  
KENT COUNTY

WESTLAND CITY

WEXFORD COUNTY  
WYOMING CITY

MINNESOTA

AITKIN COUNTY  
BECKER COUNTY  
BELTRAMI COUNTY  
BENTON COUNTY  
CARLTON COUNTY  
CASS COUNTY  
CHIPPEWA COUNTY  
CLEARWATER COUNTY  
COOK COUNTY  
CROW WING COUNTY  
DULUTH CITY

HUBBARD COUNTY  
ISANTI COUNTY  
ITASCA COUNTY  
KANABEC COUNTY  
KOOCHICING COUNTY  
LAKE COUNTY  
LE SUEUR COUNTY  
MAHONEN COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

MINNESOTA (CONT)

MARSHALL COUNTY  
MEeker COUNTY  
MILLE LACS COUNTY  
MORRISON COUNTY  
OTTER TAIL COUNTY  
PENNINGTON COUNTY  
PINE COUNTY  
RED LAKE COUNTY  
ROSEAU COUNTY  
SHERBURNE COUNTY  
BALANCE OF ST. LOUIS COUNTY  
WABASHA COUNTY  
WADENA COUNTY  
WINONA COUNTY

MARSHALL COUNTY  
MEeker COUNTY  
MILLE LACS COUNTY  
MORRISON COUNTY  
OTTER TAIL COUNTY  
PENNINGTON COUNTY  
PINE COUNTY  
RED LAKE COUNTY  
ROSEAU COUNTY  
SHERBURNE COUNTY  
ST. LOUIS COUNTY LESS  
DULUTH CITY  
WABASHA COUNTY  
WADENA COUNTY  
WINONA COUNTY

MISSISSIPPI

ADAMS COUNTY  
ALCORN COUNTY  
AMITE COUNTY  
ATTALA COUNTY  
BENTON COUNTY  
BOLIVAR COUNTY  
CALHOUN COUNTY  
CHICKASAW COUNTY  
CHOCTAW COUNTY  
CLAIBORNE COUNTY  
CLARKE COUNTY  
CLAY COUNTY  
COAHOMA COUNTY  
COPIAH COUNTY  
COVINGTON COUNTY  
DE SOTO COUNTY  
FORREST COUNTY  
FRANKLIN COUNTY  
GEORGE COUNTY  
GREENE COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

MISSISSIPPI (CONT)

SUNFLOWER COUNTY  
TALLAHATCHIE COUNTY  
TATE COUNTY  
TIPPAAH COUNTY  
TISHOMINGO COUNTY  
TUNICA COUNTY  
UNION COUNTY  
WALTHALL COUNTY  
WARREN COUNTY  
WASHINGTON COUNTY  
WAYNE COUNTY  
WEBSTER COUNTY  
WILKINSON COUNTY  
WINSTON COUNTY  
YALOBUSHA COUNTY  
YAZOO COUNTY

MISSOURI

AUDRAIN COUNTY  
BARRY COUNTY  
BATES COUNTY  
BENTON COUNTY  
BOLLINGER COUNTY  
BUTLER COUNTY  
CALDWELL COUNTY  
CAMDEN COUNTY  
CARTER COUNTY  
CASS COUNTY  
CEDAR COUNTY  
CHRISTIAN COUNTY  
CLARK COUNTY  
COOPER COUNTY  
CRAWFORD COUNTY  
DALLAS COUNTY  
DAVIESS COUNTY  
DENT COUNTY  
DOUGLAS COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

MISSISSIPPI (CONT)

GRENADA COUNTY  
HANCOCK COUNTY  
BALANCE OF HINDS COUNTY  
HOLMES COUNTY  
HUMPHREYS COUNTY  
ITAWAMBA COUNTY  
JACKSON COUNTY  
JASPER COUNTY  
JEFFERSON COUNTY  
JEFFERSON DAVIS COUNTY  
KEMPER COUNTY  
LAFAYETTE COUNTY  
LAUDERDALE COUNTY  
LAWRENCE COUNTY  
LEAKE COUNTY  
LEE COUNTY  
LEFLORE COUNTY  
LINCOLN COUNTY  
LOWNDES COUNTY  
MADISON COUNTY  
MARION COUNTY  
MARSHALL COUNTY  
MONROE COUNTY  
MONTGOMERY COUNTY  
NESHOMA COUNTY  
NEWTON COUNTY  
NOXUBEE COUNTY  
PANOLA COUNTY  
PEARL RIVER COUNTY  
PERRY COUNTY  
PIKE COUNTY  
PONTOTOC COUNTY  
PRENTISS COUNTY  
QUITMAN COUNTY  
SCOTT COUNTY  
SHARKEY COUNTY  
SIMPSON COUNTY  
SMITH COUNTY  
STONE COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

MISSOURI (CONT)

RALLS COUNTY  
RANDOLPH COUNTY  
RAY COUNTY  
REYNOLDS COUNTY  
RIPLEY COUNTY  
SCOTT COUNTY  
SHANNON COUNTY  
SHELBY COUNTY  
ST JOSEPH CITY  
ST JOSEPH CITY  
ST LOUIS CITY  
ST. CHARLES COUNTY  
ST. FRANCOIS COUNTY  
STE. GENEVIEVE COUNTY  
STODDARD COUNTY  
STONE COUNTY  
TANEY COUNTY  
TEXAS COUNTY  
WARREN COUNTY  
WASHINGTON COUNTY  
WAYNE COUNTY  
WEBSTER COUNTY  
WRIGHT COUNTY

BIG HORN COUNTY  
BLAINE COUNTY  
BROADWATER COUNTY  
CASCADE COUNTY LESS  
GREAT FALLS CITY  
DEER LODGE COUNTY  
FLATHEAD COUNTY  
GLACIER COUNTY  
GRANITE COUNTY  
JEFFERSON COUNTY  
LAKE COUNTY  
LINCOLN COUNTY

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

MISSOURI (CONT)

DUNKLIN COUNTY  
FRANKLIN COUNTY  
GRUNDY COUNTY  
HENRY COUNTY  
HICKORY COUNTY  
HOWELL COUNTY  
IRON COUNTY  
JASPER COUNTY  
JEFFERSON COUNTY  
KANSAS CITY MO  
KANSAS CITY MO  
KANSAS CITY MO  
KNOX COUNTY  
LACLEDE COUNTY  
LAFAYETTE COUNTY  
LEWIS COUNTY  
LINCOLN COUNTY  
LINN COUNTY  
LIVINGSTON COUNTY  
MACON COUNTY  
MADISON COUNTY  
MARIES COUNTY  
MARION COUNTY  
MC DONALD COUNTY  
MILLER COUNTY  
MISSISSIPPI COUNTY  
MONITEAU COUNTY  
MONROE COUNTY  
MONTGOMERY COUNTY  
MORGAN COUNTY  
NEW MADRID COUNTY  
NEWTON COUNTY  
OREGON COUNTY  
OZARK COUNTY  
PEMISCOT COUNTY  
PERRY COUNTY  
PETTIS COUNTY  
PIKE COUNTY  
PULASKI COUNTY

(CONTINUED)

MONTANA

BIG HORN COUNTY  
BLAINE COUNTY  
BROADWATER COUNTY  
BALANCE OF CASCADE COUNTY  
DEER LODGE COUNTY  
FLATHEAD COUNTY  
GLACIER COUNTY  
GRANITE COUNTY  
JEFFERSON COUNTY  
LAKE COUNTY  
LINCOLN COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

NEW HAMPSHIRE

COOS COUNTY COOS COUNTY  
SULLIVAN COUNTY SULLIVAN COUNTY

NEW JERSEY

ATLANTIC COUNTY ATLANTIC COUNTY  
BAYONNE CITY BAYONNE CITY  
CAMDEN CITY CAMDEN CITY  
CAPE MAY COUNTY CUMBERLAND COUNTY LESS  
EAST ORANGE CITY VINELAND CITY  
ELIZABETH CITY ESSEX COUNTY  
BALANCE OF HUDSON COUNTY ELIZABETH CITY IN  
UNION COUNTY

IRVINGTON CITY IRVINGTON CITY IN  
ESSEX COUNTY ESSEX COUNTY  
HUDSON COUNTY HUDSON COUNTY  
NEWARK CITY NEWARK CITY IN  
ESSEX COUNTY ESSEX COUNTY  
OCEAN COUNTY LESS  
BRICK TOWNSHIP DOVER TOWNSHIP  
PASSAIC CITY IN PASSAIC COUNTY  
PATERSON CITY IN PATERSON CITY  
SALEM COUNTY SALEM COUNTY  
TRENTON CITY TRENTON CITY IN  
MERCER COUNTY MERCER COUNTY

IRVINGTON CITY IRVINGTON CITY IN  
ESSEX COUNTY ESSEX COUNTY  
HUDSON COUNTY HUDSON COUNTY  
NEWARK CITY NEWARK CITY IN  
ESSEX COUNTY ESSEX COUNTY  
OCEAN COUNTY LESS  
BRICK TOWNSHIP DOVER TOWNSHIP  
PASSAIC CITY IN PASSAIC COUNTY  
PATERSON CITY IN PATERSON CITY  
SALEM COUNTY SALEM COUNTY  
TRENTON CITY TRENTON CITY IN  
MERCER COUNTY MERCER COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

MONTANA (CONT)

MEAGHER COUNTY MEAGHER COUNTY  
MINERAL COUNTY MINERAL COUNTY  
MISSOULA COUNTY MISSOULA COUNTY  
MUSSELSHELL COUNTY MUSSELSHELL COUNTY  
PARK COUNTY PARK COUNTY  
POWELL COUNTY POWELL COUNTY  
RAVALLI COUNTY RAVALLI COUNTY  
SANDERS COUNTY SANDERS COUNTY  
SILVER BOW COUNTY SILVER BOW COUNTY  
WIBAUX COUNTY WIBAUX COUNTY

NEBRASKA

BOX BUTTE COUNTY BOX BUTTE COUNTY  
LINCOLN COUNTY LINCOLN COUNTY  
THURSTON COUNTY THURSTON COUNTY

NEVADA

CARSON CITY CARSON CITY  
CHURCHILL COUNTY CHURCHILL COUNTY  
CLARK COUNTY LESS CLARK COUNTY  
LAS VEGAS CITY LAS VEGAS CITY  
DOUGLAS COUNTY DOUGLAS COUNTY  
ESMERALDA COUNTY ESMERALDA COUNTY  
EUREKA COUNTY EUREKA COUNTY  
HUMBOLDT COUNTY HUMBOLDT COUNTY  
LANDER COUNTY LANDER COUNTY  
LAS VEGAS CITY LAS VEGAS CITY IN  
LINCOLN COUNTY LINCOLN COUNTY  
LYON COUNTY LYON COUNTY  
STOREY COUNTY STOREY COUNTY  
WHITE PINE COUNTY WHITE PINE COUNTY

(CONTINUED)



CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

NEW YORK (CONT)

CHAUTAUQUA COUNTY  
CHEEKTOWAGA TOWN  
CHEMUNG COUNTY  
CHENANGO COUNTY  
CLINTON COUNTY  
CORTLAND COUNTY  
ERIE COUNTY  
AMHERST TOWN  
BUFFALO CITY  
CHEEKTOWAGA TOWN  
HAMBURG TOWN  
TONAWANDA TOWN  
WEST SENeca TOWNSHIP  
ESSEX COUNTY  
FRANKLIN COUNTY  
FULTON COUNTY  
GENESEE COUNTY  
GREENE COUNTY  
HAMBURG TOWN  
ERIE COUNTY  
HAMILTON COUNTY  
HERKIMER COUNTY  
JEFFERSON COUNTY  
LEWIS COUNTY  
MONTGOMERY COUNTY  
NEW YORK CITY  
BRONX COUNTY  
KINGS COUNTY  
NEW YORK COUNTY  
QUEENS COUNTY  
RICHMOND COUNTY  
NIAGARA COUNTY  
NIAGARA FALLS CITY  
NIAGARA FALLS CITY  
NIAGARA COUNTY  
ONTARIO COUNTY  
ORLEANS COUNTY  
OSWEGO COUNTY

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

NEW JERSEY (CONT)

UNION CITY  
UNION TOWNSHIP  
VINELAND CITY  
CUMBERLAND COUNTY  
UNION CITY IN  
HUDSON COUNTY  
UNION TOWNSHIP IN  
UNION COUNTY  
VINELAND CITY IN  
CUMBERLAND COUNTY

NEW MEXICO

BALANCE OF BERNALILLO COUNTY  
CATRON COUNTY  
CIBOLA COUNTY  
DONA ANA COUNTY  
GRANT COUNTY  
HIDALGO COUNTY  
LUNA COUNTY  
MC KINLEY COUNTY  
MORA COUNTY  
QUAY COUNTY  
RIO ARriba COUNTY  
SAN JUAN COUNTY  
SAN MIGUEL COUNTY  
SOCORRO COUNTY  
TAOS COUNTY  
VALENCIA COUNTY  
BERNALILLO COUNTY LESS  
ALBUQUERQUE CITY  
CATRON COUNTY  
CIBOLA COUNTY  
DONA ANA COUNTY  
GRANT COUNTY  
HIDALGO COUNTY  
LUNA COUNTY  
MC KINLEY COUNTY  
MORA COUNTY  
QUAY COUNTY  
RIO ARriba COUNTY  
SAN JUAN COUNTY  
SAN MIGUEL COUNTY  
SOCORRO COUNTY  
TAOS COUNTY  
VALENCIA COUNTY

NEW YORK

ALLEGANY COUNTY  
BINGHAMTON CITY  
BUFFALO CITY  
CATTARAUGUS COUNTY  
CAYUGA COUNTY  
BALANCE OF NIAGARA COUNTY  
NIAGARA FALLS CITY  
ONTARIO COUNTY  
ORLEANS COUNTY  
OSWEGO COUNTY  
ALLEGANY COUNTY  
BINGHAMTON CITY IN  
BROOME COUNTY  
BUFFALO CITY IN  
ERIE COUNTY  
CATTARAUGUS COUNTY  
CAYUGA COUNTY

(CONTINUED)

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

NORTH CAROLINA (CONT)

CASWELL COUNTY	CASWELL COUNTY
CATAWBA COUNTY	CATAWBA COUNTY
CHEROKEE COUNTY	CHEROKEE COUNTY
CLAY COUNTY	CLAY COUNTY
CLEVELAND COUNTY	CLEVELAND COUNTY
COLUMBUS COUNTY	COLUMBUS COUNTY
CUMBERLAND COUNTY	CUMBERLAND COUNTY
FAVETTEVILLE CITY	FAVETTEVILLE CITY
DARE COUNTY	DARE COUNTY
DAVIDSON COUNTY	DAVIDSON COUNTY
DAVIE COUNTY	DAVIE COUNTY
DUPLIN COUNTY	DUPLIN COUNTY
EDGEcombe COUNTY	EDGEcombe COUNTY
FRANKLIN COUNTY	FRANKLIN COUNTY
GASTON COUNTY	GASTON COUNTY
GRAHAM COUNTY	GRAHAM COUNTY
GRANVILLE COUNTY	GRANVILLE COUNTY
HALIFAX COUNTY	HALIFAX COUNTY
HARNETT COUNTY	HARNETT COUNTY
HAYWOOD COUNTY	HAYWOOD COUNTY
HOKE COUNTY	HOKE COUNTY
IREDELL COUNTY	IREDELL COUNTY
JACKSON COUNTY	JACKSON COUNTY
JOHNSTON COUNTY	JOHNSTON COUNTY
LEE COUNTY	LEE COUNTY
LENOIR COUNTY	LENOIR COUNTY
LINCOLN COUNTY	LINCOLN COUNTY
MACON COUNTY	MACON COUNTY
MARTIN COUNTY	MARTIN COUNTY
MC DOWELL COUNTY	MC DOWELL COUNTY
MITCHELL COUNTY	MITCHELL COUNTY
MONTGOMERY COUNTY	MONTGOMERY COUNTY
NASH COUNTY	NASH COUNTY
NEW HANOVER COUNTY	NEW HANOVER COUNTY
NORTHAMPTON COUNTY	NORTHAMPTON COUNTY
PENDER COUNTY	PENDER COUNTY
PERSON COUNTY	PERSON COUNTY
RANDOLPH COUNTY	RANDOLPH COUNTY
HIGH POINT CITY	HIGH POINT CITY
RICHMOND COUNTY	RICHMOND COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

NEW YORK (CONT)

ROCHESTER CITY	ROCHESTER CITY IN
SCHOHARIE COUNTY	MUNROE COUNTY
SCHUYLER COUNTY	SCHOHARIE COUNTY
SENECA COUNTY	SCHUYLER COUNTY
ST. LAWRENCE COUNTY	SENECA COUNTY
STEBEN COUNTY	ST. LAWRENCE COUNTY
SYRACUSE CITY	STEBEN COUNTY
	SYRACUSE CITY IN
	UNONDAGA COUNTY
TIoga COUNTY	TIOGA COUNTY
TONOWANDA TOWN	TONOWANDA TOWN IN
	ERIE COUNTY
TROY CITY	TROY CITY IN
	RENSSELAER COUNTY
UTICA CITY	UTICA CITY IN
	ONEIDA COUNTY
WARREN COUNTY	WARREN COUNTY
WAYNE COUNTY	WAYNE COUNTY
WEST SENECA TOWNSHIP	WEST SENECA TOWNSHIP IN
	ERIE COUNTY
WYOMING COUNTY	WYOMING COUNTY
YATES COUNTY	YATES COUNTY

  

ALAMANCE COUNTY	ALAMANCE COUNTY
ANSON COUNTY	ANSON COUNTY
ASHE COUNTY	ASHE COUNTY
ASHEVILLE CITY	ASHEVILLE CITY IN
AVERY COUNTY	BUNCOMBE COUNTY
BEAUFORT COUNTY	AVERY COUNTY
BERTIE COUNTY	BEAUFORT COUNTY
BLADEN COUNTY	BERTIE COUNTY
BRUNSWICK COUNTY	BLADEN COUNTY
BURKE COUNTY	BRUNSWICK COUNTY
CABARRUS COUNTY	BURKE COUNTY
CALDWELL COUNTY	CABARRUS COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS

OHIO (CONT)

BROWN COUNTY  
BUTLER COUNTY  
HAMILTON CITY  
CANTON CITY IN  
STARK COUNTY  
CARROLL COUNTY  
CHAMPAIGN COUNTY  
CINCINNATI CITY IN  
HAMILTON COUNTY  
CLARK COUNTY LESS  
SPRINGFIELD CITY  
CLERMONT COUNTY  
CLEVELAND CITY IN  
CUYAHOGA COUNTY  
CLINTON COUNTY  
COLUMBIANA COUNTY  
COLUMBUS CITY IN  
FRANKLIN COUNTY  
CUSHOCTON COUNTY  
CRAWFORD COUNTY  
DARKE COUNTY  
DAYTON CITY IN  
MONTGOMERY COUNTY  
DEFIANCE COUNTY  
DELAWARE COUNTY  
ELYRIA CITY IN  
LORAIN COUNTY  
ERIE COUNTY  
FAIRFIELD COUNTY  
FAYETTE COUNTY  
FULTON COUNTY  
GALLIA COUNTY  
GEAUGA COUNTY  
GREENE COUNTY  
GUERNSEY COUNTY  
HAMILTON CITY IN  
BUTLER COUNTY  
HARDIN COUNTY  
HARRISON COUNTY  
HENRY COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS

NORTH CAROLINA (CONT)

ROBESON COUNTY  
ROCKINGHAM COUNTY  
RUTHERFORD COUNTY  
SAMPSON COUNTY  
SCOTLAND COUNTY  
STANLY COUNTY  
SURREY COUNTY  
SWAIN COUNTY  
TYRRELL COUNTY  
VANCE COUNTY  
WARREN COUNTY  
WASHINGTON COUNTY  
WAYNE COUNTY  
WILKES COUNTY  
WILSON COUNTY  
YADKIN COUNTY  
YANCEY COUNTY

NORTH DAKOTA

KIDDER COUNTY  
MC HENRY COUNTY  
ROLETTE COUNTY  
SIOUX COUNTY

OHIO

ADAMS COUNTY  
AKRON CITY  
ALLEN COUNTY  
ASHLAND COUNTY  
ASHTABULA COUNTY  
ATHENS COUNTY  
AUGLAIZE COUNTY  
BELMONT COUNTY

(CONTINUED)

KIDDER COUNTY  
MC HENRY COUNTY  
ROLETTE COUNTY  
SIOUX COUNTY

ADAMS COUNTY  
AKRON CITY IN  
SUMMIT COUNTY  
ALLEN COUNTY  
ASHLAND COUNTY  
ASHTABULA COUNTY  
ATHENS COUNTY  
AUGLAIZE COUNTY  
BELMONT COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

## OHIO (CONT)

PORTAGE COUNTY  
PREBLE COUNTY  
PUTNAM COUNTY  
BALANCE OF RICHLAND COUNTY  
  
ROSS COUNTY  
SANDUSKY COUNTY  
SCIOTO COUNTY  
SENECA COUNTY  
SHELBY COUNTY  
SPRINGFIELD CITY  
  
BALANCE OF STARK COUNTY  
  
BALANCE OF SUMMIT COUNTY  
  
TOLEDO CITY  
  
BALANCE OF TRUMBULL COUNTY  
  
TUSCARAWAS COUNTY  
UNION COUNTY  
VAN WERT COUNTY  
VINTON COUNTY  
WARREN CITY  
  
WARREN COUNTY  
WASHINGTON COUNTY  
WAYNE COUNTY  
WILLIAMS COUNTY  
WOOD COUNTY  
WYANDOT COUNTY  
YOUNGSTOWN CITY  
YOUNGSTOWN CITY IN  
MAHONING COUNTY

ATOKA COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

## OHIO (CONT)

HIGHLAND COUNTY  
HOCKING COUNTY  
HOLMES COUNTY  
HURON COUNTY  
JACKSON COUNTY  
JEFFERSON COUNTY  
KNOX COUNTY  
LAKE COUNTY  
LAWRENCE COUNTY  
LICKING COUNTY  
LOGAN COUNTY  
LORAIN CITY  
  
BALANCE OF LORAIN COUNTY  
  
BALANCE OF LUCAS COUNTY  
  
MADISON COUNTY  
BALANCE OF MAHONING COUNTY  
  
MANSFIELD CITY  
  
MARION COUNTY  
MEDINA COUNTY  
MEIGS COUNTY  
MERCER COUNTY  
MIAMI COUNTY  
MONROE COUNTY  
BALANCE OF MONTGOMERY COUNTY  
  
MORGAN COUNTY  
MORROW COUNTY  
MUSKINGUM COUNTY  
NOBLE COUNTY  
OTTAWA COUNTY  
PAULDING COUNTY  
PERRY COUNTY  
PIKE COUNTY

(CONTINUED)

(CONTINUED)

OKLAHOMA

ATOKA COUNTY

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

OREGON (CONT)

BALANCE OF LANE COUNTY  
LANE COUNTY LESS  
EUGENE CITY  
LINCOLN COUNTY  
LINN COUNTY  
LINN COUNTY  
MALHEUR COUNTY  
MARION COUNTY LESS  
SALEM CITY  
MORROW COUNTY  
MULTNOMAH COUNTY LESS  
PORTLAND CITY  
POLK COUNTY LESS  
SALEM CITY  
PORTLAND CITY IN  
CLACKAMAS COUNTY  
MULTNOMAH COUNTY  
SALEM CITY IN  
MARION COUNTY  
POLK COUNTY  
TILLAMOOK COUNTY  
UMATILLA COUNTY  
UNION COUNTY  
WALLOWA COUNTY  
WASCO COUNTY  
WHEELER COUNTY  
YAMHILL COUNTY

ADAMS COUNTY  
ALLEGHENY COUNTY LESS  
PENN HILLS TOWNSHIP  
PITTSBURGH CITY  
ALLEN TOWN CITY IN  
LEHIGH COUNTY  
ALTOONA CITY IN  
BLAIR COUNTY  
ARMSTRONG COUNTY  
BEAVER COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

OKLAHOMA (CONT)

CHOCTAW COUNTY  
COAL COUNTY  
HASKELL COUNTY  
HUGHES COUNTY  
LATIMER COUNTY  
LE FLORE COUNTY  
MC CURTAIN COUNTY  
NOWATA COUNTY  
OKFUSKEE COUNTY  
OKMULGEE COUNTY  
OTTAWA COUNTY  
PITTSBURG COUNTY  
PUSHMATAHA COUNTY  
SEQUOYAH COUNTY

BAKER COUNTY  
CLACKAMAS COUNTY LESS  
PORTLAND CITY  
CLATSOP COUNTY  
COLUMBIA COUNTY  
COOS COUNTY  
CROOK COUNTY  
CURRY COUNTY  
DESCHUTES COUNTY  
DOUGLAS COUNTY  
EUGENE CITY IN  
LANE COUNTY  
GRANT COUNTY  
HARNEY COUNTY  
HOOD RIVER COUNTY  
JACKSON COUNTY  
JEFFERSON COUNTY  
JOSEPHINE COUNTY  
KLAMATH COUNTY  
LAKE COUNTY

BAKER COUNTY  
BALANCE OF CLACKAMAS COUNTY  
CLATSOP COUNTY  
COLUMBIA COUNTY  
COOS COUNTY  
CROOK COUNTY  
CURRY COUNTY  
DESCHUTES COUNTY  
DOUGLAS COUNTY  
EUGENE CITY  
GRANT COUNTY  
HARNEY COUNTY  
HOOD RIVER COUNTY  
JACKSON COUNTY  
JEFFERSON COUNTY  
JOSEPHINE COUNTY  
KLAMATH COUNTY  
LAKE COUNTY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

PENNSYLVANIA (CONT)

LANCASTER CITY	LANCASTER CITY IN
LAWRENCE COUNTY	LANCASTER COUNTY
LEBANON COUNTY	LAWRENCE COUNTY
BALANCE OF LEHIGH COUNTY	LEBANON COUNTY
	LEHIGH COUNTY LESS
	ALLENTOWN CITY
	BETHLEHEM CITY
BALANCE OF LUZERNE COUNTY	LUZERNE COUNTY LESS
	WILKES-BARRE CITY
LYCOMING COUNTY	LYCOMING COUNTY
MC KEAN COUNTY	MERCER COUNTY
MERCER COUNTY	MERCER COUNTY
HIPFLIN COUNTY	MERCER COUNTY
MONROE COUNTY	MERCER COUNTY
MONTOUR COUNTY	MONROE COUNTY
BALANCE OF NORTHAMPTON COUNTY	MONTOUR COUNTY
	NORTHAMPTON COUNTY LESS
	BETHLEHEM CITY
	NORTHAMPTON COUNTY
	PENN HILLS TOWNSHIP IN
	ALLEGHENY COUNTY
	PHILADELPHIA CITY IN
	PITTSBURGH CITY IN
	ALLEGHENY COUNTY
	POTTER COUNTY
	READING CITY IN
	BERKS COUNTY
	SCHUYLKILL COUNTY
	SCRANTON CITY IN
	LACKAWANNA COUNTY
	SNYDER COUNTY
	SOMERSET COUNTY
	SULLIVAN COUNTY
	SUSQUEHANNA COUNTY
	TIOGA COUNTY
	UNION COUNTY
	VENANGO COUNTY
	WARREN COUNTY
	WASHINGTON COUNTY
	WAYNE COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

PENNSYLVANIA (CONT)

BEDFORD COUNTY	BEDFORD COUNTY
BALANCE OF BERKS COUNTY	BERKS COUNTY LESS
BETHLEHEM CITY	READING CITY
	BETHLEHEM CITY IN
	LEHIGH COUNTY
BALANCE OF BLAIR COUNTY	NORTHAMPTON COUNTY
	BLAIR COUNTY LESS
	ALTOONA CITY
BRADFORD COUNTY	BRADFORD COUNTY
BRISTOL TOWNSHIP	BRISTOL TOWNSHIP IN
	BUCKS COUNTY
BALANCE OF BUCKS COUNTY	BUCKS COUNTY LESS
	BENSLEM TOWNSHIP
	BRISTOL TOWNSHIP
	BUTLER COUNTY
BUTLER COUNTY	CAMBRIA COUNTY
CAMBRIA COUNTY	CAMBRIA COUNTY
CAMERON COUNTY	CAMERON COUNTY
CARBON COUNTY	CARBON COUNTY
CENTRE COUNTY	CENTRE COUNTY
CLEARFIELD COUNTY	CLEARFIELD COUNTY
CLINTON COUNTY	CLINTON COUNTY
COLUMBIA COUNTY	COLUMBIA COUNTY
CRAWFORD COUNTY	CRAWFORD COUNTY
ELK COUNTY	ELK COUNTY
ERIE CITY	ERIE CITY IN
	ERIE COUNTY
BALANCE OF ERIE COUNTY	ERIE COUNTY LESS
	ERIE CITY
FAYETTE COUNTY	FAYETTE COUNTY
FOREST COUNTY	FOREST COUNTY
FRANKLIN COUNTY	FRANKLIN COUNTY
FULTON COUNTY	FULTON COUNTY
GREENE COUNTY	GREENE COUNTY
HUNTINGDON COUNTY	HUNTINGDON COUNTY
INDIANA COUNTY	INDIANA COUNTY
JEFFERSON COUNTY	JEFFERSON COUNTY
JUNIATA COUNTY	JUNIATA COUNTY
BALANCE OF LACKAWANNA COUNTY	LACKAWANNA COUNTY LESS
	SCRANTON CITY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS

CIVIL JURISDICTIONS INCLUDED

RHODE ISLAND (CONT)

CENTRAL FALLS CITY  
CHARLESTOWN TOWN  
COVENTRY TOWN  
CRANSTON CITY  
CUMBERLAND TOWN  
EAST GREENWICH TOWN  
EAST PROVIDENCE CITY  
JOHNSTON TOWN  
LINCOLN TOWN  
NEW SHOREHAM TOWN  
NORTH KINGSTOWN TOWN  
NORTH PROVIDENCE TOWN  
PAWTUCKET CITY  
PROVIDENCE CITY  
SCITUATE TOWN  
WARREN TOWN  
WARWICK CITY  
WEST GREENWICH TOWN  
WEST WARWICK TOWN  
WOONSOCKET CITY

CENTRAL FALLS CITY  
CHARLESTOWN TOWN  
COVENTRY TOWN  
CRANSTON CITY  
CUMBERLAND TOWN  
EAST GREENWICH TOWN  
EAST PROVIDENCE CITY  
JOHNSTON TOWN  
LINCOLN TOWN  
NEW SHOREHAM TOWN  
NORTH KINGSTOWN TOWN  
NORTH PROVIDENCE TOWN  
PAWTUCKET CITY  
PROVIDENCE CITY  
SCITUATE TOWN  
WARREN TOWN  
WARWICK CITY  
WEST GREENWICH TOWN  
WEST WARWICK TOWN  
WOONSOCKET CITY

SOUTH CAROLINA

ABBEVILLE COUNTY  
AIKEN COUNTY  
ALLENDALE COUNTY  
ANDERSON COUNTY  
BAMBERG COUNTY  
BARNWELL COUNTY  
BERKELEY COUNTY  
CALHOUN COUNTY  
CHEROKEE COUNTY  
CHESTER COUNTY  
CHESTERFIELD COUNTY  
CLARENDON COUNTY  
COLLETON COUNTY  
DARLINGTON COUNTY  
DILLON COUNTY

ABBEVILLE COUNTY  
AIKEN COUNTY  
ALLENDALE COUNTY  
ANDERSON COUNTY  
BAMBERG COUNTY  
BARNWELL COUNTY  
BERKELEY COUNTY  
CALHOUN COUNTY  
CHEROKEE COUNTY  
CHESTER COUNTY  
CHESTERFIELD COUNTY  
CLARENDON COUNTY  
COLLETON COUNTY  
DARLINGTON COUNTY  
DILLON COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS

CIVIL JURISDICTIONS INCLUDED

PENNSYLVANIA (CONT)

WESTMORELAND COUNTY  
WILKES-BARRE CITY  
WYOMING COUNTY  
YORK COUNTY

WESTMORELAND COUNTY  
WILKES-BARRE CITY IN  
LUZERNE COUNTY  
WYOMING COUNTY  
YORK COUNTY

PUERTO RICO

AGUADILLA MUNICIPIO  
ARECIBO MUNICIPIO  
BAYAMON MUNICIPIO  
CAGUAS MUNICIPIO  
CAROLINA MUNICIPIO  
GUAYNABO MUNICIPIO  
MAYAGUEZ MUNICIPIO  
PONCE MUNICIPIO  
BALANCE OF PUERTO RICO

AGUADILLA MUNICIPIO  
ARECIBO MUNICIPIO  
BAYAMON MUNICIPIO  
CAGUAS MUNICIPIO  
CAROLINA MUNICIPIO  
GUAYNABO MUNICIPIO  
MAYAGUEZ MUNICIPIO  
PONCE MUNICIPIO  
PUERTO RICO LESS  
AGUADILLA MUNICIPIO  
ARECIBO MUNICIPIO  
BAYAMON MUNICIPIO  
CAGUAS MUNICIPIO  
CAROLINA MUNICIPIO  
GUAYNABO MUNICIPIO  
MAYAGUEZ MUNICIPIO  
PONCE MUNICIPIO  
SAN JUAN MUNICIPIO  
TOA BAJA MUNICIPIO  
TRUJILLO ALTO MUNICIPIO  
TOA BAJA MUNICIPIO  
TRUJILLO ALTO MUNICIPIO

SAN JUAN MUNICIPIO  
TOA BAJA MUNICIPIO  
TRUJILLO ALTO MUNICIPIO

RHODE ISLAND

BRISTOL TOWN  
BURRILLVILLE TOWN

BRISTOL TOWN  
BURRILLVILLE TOWN

(CONTINUED)



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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

SOUTH DAKOTA (CONT)

MELLETT COUNTY  
SHANNON COUNTY  
TODD COUNTY

TENNESSEE

ANDERSON COUNTY  
BEDFORD COUNTY  
BENTON COUNTY  
BLEDSOE COUNTY  
BLOUNT COUNTY  
BRADLEY COUNTY  
CAMPBELL COUNTY  
CANNON COUNTY  
CARROLL COUNTY  
CARTER COUNTY  
CHATTANOOGA CITY IN  
HAMILTON COUNTY  
CHEATHAM COUNTY  
CHESTER COUNTY  
CLAIBORNE COUNTY  
CLARKSVILLE CITY IN  
MONTGOMERY COUNTY  
CLAY COUNTY  
COCKE COUNTY  
COFFEE COUNTY  
CROCKETT COUNTY  
CUMBERLAND COUNTY  
DE KALB COUNTY  
DECATUR COUNTY  
DICKSON COUNTY  
DYER COUNTY  
FAYETTE COUNTY  
FENTRESS COUNTY  
FRANKLIN COUNTY  
GIBSON COUNTY  
GILES COUNTY  
GRAINGER COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

SOUTH CAROLINA (CONT)

EDGEFIELD COUNTY  
FAIRFIELD COUNTY  
FLORENCE COUNTY  
GEORGETOWN COUNTY  
GREENVILLE CITY IN  
GREENVILLE COUNTY  
GREENVILLE COUNTY LESS  
GREENVILLE CITY  
GREENWOOD COUNTY  
HAMPTON COUNTY  
HORRY COUNTY  
JASPER COUNTY  
KERSHAW COUNTY  
LANCASTER COUNTY  
LAURENS COUNTY  
LEE COUNTY  
MARION COUNTY  
MARLBORO COUNTY  
MC CORMICK COUNTY  
NEWBERRY COUNTY  
NORTH CHARLESTON CITY IN

EDGEFIELD COUNTY  
FAIRFIELD COUNTY  
FLORENCE COUNTY  
GEORGETOWN COUNTY  
GREENVILLE CITY IN  
GREENVILLE COUNTY  
GREENVILLE COUNTY LESS  
GREENVILLE CITY  
GREENWOOD COUNTY  
HAMPTON COUNTY  
HORRY COUNTY  
JASPER COUNTY  
KERSHAW COUNTY  
LANCASTER COUNTY  
LAURENS COUNTY  
LEE COUNTY  
MARION COUNTY  
MARLBORO COUNTY  
MC CORMICK COUNTY  
NEWBERRY COUNTY  
NORTH CHARLESTON CITY IN  
CHARLESTON COUNTY  
OCONEE COUNTY  
ORANGEBURG COUNTY  
PICKENS COUNTY  
SALUDA COUNTY  
SPARTANBURG COUNTY  
SUMTER COUNTY  
UNION COUNTY  
WILLIAMSBURG COUNTY  
YORK COUNTY

SOUTH DAKOTA

BUFFALO COUNTY  
CORSON COUNTY  
DEWEY COUNTY  
MARSHALL COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

TENNESSEE (CONT)

PERRY COUNTY  
PICKETT COUNTY  
POLK COUNTY  
PUTNAM COUNTY  
RHEA COUNTY  
ROANE COUNTY  
ROBERTSON COUNTY  
RUTHERFORD COUNTY  
SCOTT COUNTY  
SEQUATCHIE COUNTY  
SEVIER COUNTY  
SMITH COUNTY  
STEWART COUNTY  
SULLIVAN COUNTY  
SUMNER COUNTY  
TIPTON COUNTY  
TROUSDALE COUNTY  
UNICOI COUNTY  
UNION COUNTY  
VAN BUREN COUNTY  
WARREN COUNTY  
WASHINGTON COUNTY  
WAYNE COUNTY  
WEAKEY COUNTY  
WHITE COUNTY  
WILSON COUNTY

TEXAS -----

ANGELINA COUNTY  
BAYTOWN CITY IN  
HARRIS COUNTY  
BEAUMONT CITY IN  
JEFFERSON COUNTY  
BOWIE COUNTY LESS  
TEXARKANA CITY TEX  
BROWNSVILLE CITY IN  
CAMERON COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS ----- CIVIL JURISDICTIONS INCLUDED -----

TENNESSEE (CONT)

GREENE COUNTY  
GRUNDY COUNTY  
HAMBLEN COUNTY  
HANCOCK COUNTY  
HARDMAN COUNTY  
HARDIN COUNTY  
HAWKINS COUNTY  
HAYWOOD COUNTY  
HENDERSON COUNTY  
HENRY COUNTY  
HICKMAN COUNTY  
HOUSTON COUNTY  
HUMPHREYS COUNTY  
JACKSON COUNTY  
JEFFERSON COUNTY  
JOHNSON COUNTY  
KNOXVILLE CITY  
LAKE COUNTY  
LAUDERDALE COUNTY  
LAWRENCE COUNTY  
LEWIS COUNTY  
LINCOLN COUNTY  
LOUDON COUNTY  
MACON COUNTY  
MADISON COUNTY  
MARION COUNTY  
MARSHALL COUNTY  
MAURY COUNTY  
MC MINN COUNTY  
MC NAIRY COUNTY  
MEIGS COUNTY  
MEMPHIS CITY  
MONROE COUNTY  
BALANCE OF MONTGOMERY COUNTY  
MORGAN COUNTY  
OBION COUNTY  
OVERTON COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

TEXAS (CONT)

SAN AUGUSTINE COUNTY  
SAN JACINTO COUNTY  
SHELBY COUNTY  
STARR COUNTY  
TEXARKANA CITY TEX  
TYLER COUNTY  
UPSHUR COUNTY  
VAL VERDE COUNTY  
WILLACY COUNTY  
ZAPATA COUNTY  
ZAVALA COUNTY

SAN AUGUSTINE COUNTY  
SAN JACINTO COUNTY  
SHELBY COUNTY  
STARR COUNTY  
TEXARKANA CITY TEX  
BOWIE COUNTY  
TYLER COUNTY  
UPSHUR COUNTY  
VAL VERDE COUNTY  
WILLACY COUNTY  
ZAPATA COUNTY  
ZAVALA COUNTY

UTAH

DUCHESNE COUNTY  
GARFIELD COUNTY  
GRAND COUNTY  
JUAB COUNTY  
KANE COUNTY  
OGDEN CITY  
PIUTE COUNTY  
SANPETE COUNTY  
SUMMIT COUNTY  
BALANCE OF UTAH COUNTY

DUCHESNE COUNTY  
GARFIELD COUNTY  
GRAND COUNTY  
JUAB COUNTY  
KANE COUNTY  
OGDEN CITY IN  
WEBER COUNTY  
PIUTE COUNTY  
SANPETE COUNTY  
SUMMIT COUNTY  
UTAH COUNTY LESS  
OREM CITY  
PROVO CITY  
WASATCH COUNTY  
WAYNE COUNTY

WASATCH COUNTY  
WAYNE COUNTY

VERMONT

ESSEX COUNTY  
FRANKLIN COUNTY  
GRAND ISLE COUNTY

ESSEX COUNTY  
FRANKLIN COUNTY  
GRAND ISLE COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS      CIVIL JURISDICTIONS INCLUDED

TEXAS (CONT)

CALHOUN COUNTY  
BALANCE OF CAMERON COUNTY  
CAMP COUNTY  
CASS COUNTY  
DEAF SMITH COUNTY  
DIMMIT COUNTY  
EL PASO CITY  
BALANCE OF EL PASO COUNTY  
GALVESTON CITY  
BALANCE OF GALVESTON COUNTY  
BALANCE OF GREGG COUNTY  
HENDERSON COUNTY  
BALANCE OF HIDALGO COUNTY  
JASPER COUNTY  
JIM HOGG COUNTY  
LA SALLE COUNTY  
LAREDO CITY  
LONGVIEW CITY  
MARION COUNTY  
MATAGORDA COUNTY  
MAVERICK COUNTY  
MC ALLEN CITY  
MORRIS COUNTY  
NEWTON COUNTY  
ORANGE COUNTY  
PORT ARTHUR CITY  
RED RIVER COUNTY  
REEVES COUNTY  
SABINE COUNTY

CALHOUN COUNTY  
CAMERON COUNTY LESS  
BROWNSVILLE CITY  
CAMP COUNTY  
CASS COUNTY  
DEAF SMITH COUNTY  
DIMMIT COUNTY  
EL PASO CITY IN  
EL PASO COUNTY  
EL PASO COUNTY LESS  
EL PASO CITY  
GALVESTON CITY IN  
GALVESTON COUNTY  
GALVESTON COUNTY LESS  
GREGG COUNTY LESS  
LONGVIEW CITY  
HENDERSON COUNTY  
HIDALGO COUNTY LESS  
MC ALLEN CITY  
JASPER COUNTY  
JIM HOGG COUNTY  
LA SALLE COUNTY  
LAREDO CITY IN  
WEBB COUNTY  
LONGVIEW CITY IN  
GREGG COUNTY  
MARION COUNTY  
MATAGORDA COUNTY  
MAVERICK COUNTY  
MC ALLEN CITY IN  
HIDALGO COUNTY  
MORRIS COUNTY  
NEWTON COUNTY  
ORANGE COUNTY  
PORT ARTHUR CITY IN  
JEFFERSON COUNTY  
RED RIVER COUNTY  
REEVES COUNTY  
SABINE COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

VERMONT (CONT)

LAMOILLE COUNTY  
ORLEANS COUNTY  
WINDSOR COUNTY

VIRGINIA

ALLEGHANY COUNTY  
AMELIA COUNTY  
BATH COUNTY  
BEDFORD COUNTY  
BLAND COUNTY  
BRISTOL CITY  
BRUNSWICK COUNTY  
BUCHANAN COUNTY  
BUCKINGHAM COUNTY  
BUENA VISTA CITY  
CAMPBELL COUNTY  
CAROLINE COUNTY  
CARROLL COUNTY  
CHARLOTTE COUNTY  
CLIFTON FORGE CITY  
COVINGTON CITY  
CRAIG COUNTY  
CUMBERLAND COUNTY  
DANVILLE CITY  
DICKENSON COUNTY  
DINWIDDIE COUNTY  
EMPORIA CITY  
ESSEX COUNTY  
FLOYD COUNTY  
FRANKLIN CITY  
FRANKLIN COUNTY  
FREDERICK COUNTY  
FREDRICKSBURG CITY  
GALAX CITY  
GILES COUNTY  
GRAYSON COUNTY  
GREENE COUNTY

(CONTINUED)

VIRGINIA (CONT)

GREENSVILLE COUNTY  
HALIFAX COUNTY  
HENRY COUNTY  
HIGHLAND COUNTY  
HOPEWELL CITY  
KING AND QUEEN COUNTY  
KING WILLIAM COUNTY  
LANCASTER COUNTY  
LEE COUNTY  
LOUISA COUNTY  
LUNENBURG COUNTY  
MADISON COUNTY  
MECKLENBURG COUNTY  
NELSON COUNTY  
NORTHUMBERLAND COUNTY  
NORTON CITY  
NOTTOWAY COUNTY  
ORANGE COUNTY  
PAGE COUNTY  
PATRICK COUNTY  
PETERSBURG CITY  
PITTSYLVANIA COUNTY  
PORTSMOUTH CITY  
PRINCE EDWARD COUNTY  
PULASKI COUNTY  
RAPPAHANNOCK COUNTY  
RICHMOND COUNTY  
ROCKBRIDGE COUNTY  
RUSSELL COUNTY  
SCOTT COUNTY  
SHENANDOAH COUNTY  
SMYTH COUNTY  
SOUTH BOSTON CITY  
SPOTSYLVANIA COUNTY  
STAUNTON CITY  
SUFFOLK CITY  
SURREY COUNTY  
SUSSEX COUNTY  
TAEWELL COUNTY  
WARREN COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS CIVIL JURISDICTIONS INCLUDED

LAMOILLE COUNTY  
ORLEANS COUNTY  
WINDSOR COUNTY

ALLEGHANY COUNTY  
AMELIA COUNTY  
BATH COUNTY  
BEDFORD COUNTY  
BLAND COUNTY  
BRISTOL CITY  
BRUNSWICK COUNTY  
BUCHANAN COUNTY  
BUCKINGHAM COUNTY  
BUENA VISTA CITY  
CAMPBELL COUNTY  
CAROLINE COUNTY  
CARROLL COUNTY  
CHARLOTTE COUNTY  
CLIFTON FORGE CITY  
COVINGTON CITY  
CRAIG COUNTY  
CUMBERLAND COUNTY  
DANVILLE CITY  
DICKENSON COUNTY  
DINWIDDIE COUNTY  
EMPORIA CITY  
ESSEX COUNTY  
FLOYD COUNTY  
FRANKLIN CITY  
FRANKLIN COUNTY  
FREDERICK COUNTY  
FREDRICKSBURG CITY  
GALAX CITY  
GILES COUNTY  
GRAYSON COUNTY  
GREENE COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS

CIVIL JURISDICTIONS INCLUDED

## WASHINGTON (CONT)

BALANCE OF PIERCE COUNTY

SAN JUAN COUNTY

SEATTLE CITY

SKAGIT COUNTY

SKAMANIA COUNTY

BALANCE OF SNOHOMISH COUNTY

SPOKANE CITY

BALANCE OF SPOKANE COUNTY

STEVENS COUNTY

TACOMA CITY

THURSTON COUNTY

WAKIARUM COUNTY

WALLA WALLA COUNTY

WHATCOM COUNTY

YAKIMA COUNTY

PIERCE COUNTY LESS

TACOMA CITY

SAN JUAN COUNTY

SEATTLE CITY IN

KING COUNTY

SKAGIT COUNTY

SKAMANIA COUNTY

SNOHOMISH COUNTY LESS

EVERETT CITY

SPOKANE CITY IN

SPOKANE COUNTY

SPOKANE COUNTY LESS

SPOKANE CITY

STEVENS COUNTY

TACOMA CITY IN

PIERCE COUNTY

THURSTON COUNTY

WAKIARUM COUNTY

WALLA WALLA COUNTY

WHATCOM COUNTY

YAKIMA COUNTY

## WEST VIRGINIA

BARBOUR COUNTY

BERKELEY COUNTY

BOONE COUNTY

BRAXTON COUNTY

BROOKE COUNTY

BALANCE OF CABELL COUNTY

CALHOUN COUNTY

CLAY COUNTY

DODDRIDGE COUNTY

FAYETTE COUNTY

GILMER COUNTY

GRANT COUNTY

GREENBRIER COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS

CIVIL JURISDICTIONS INCLUDED

## VIRGINIA (CONT)

WASHINGTON COUNTY

WAYNESBORO CITY

WESTMORELAND COUNTY

WILLIAMSBURG CITY

WINCHESTER CITY

WISE COUNTY

WYTHE COUNTY

## WASHINGTON

ADAMS COUNTY

ASOTIN COUNTY

BENTON COUNTY

CHELAN COUNTY

CLALLAM COUNTY

CLARK COUNTY

COLUMBIA COUNTY

COWLITZ COUNTY

DOUGLAS COUNTY

EVERETT CITY

FERRY COUNTY

FRANKLIN COUNTY

GRANT COUNTY

GRAYS HARBOR COUNTY

ISLAND COUNTY

JEFFERSON COUNTY

KING COUNTY LESS

BELLEVUE CITY

SEATTLE CITY

KITTITAS COUNTY

Klickitat County

LEWIS COUNTY

MASON COUNTY

OKANOGAN COUNTY

PACIFIC COUNTY

PEND OREILLE COUNTY

(CONTINUED)

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

CIVIL JURISDICTIONS INCLUDED

ELIGIBLE HIGH UNEMPLOYMENT AREAS

## WEST VIRGINIA (CONT)

HAMPSHIRE COUNTY  
HANCOCK COUNTY  
HARDY COUNTY  
HARRISON COUNTY  
HUNTINGTON CITY

JACKSON COUNTY  
BALANCE OF KANAWHA COUNTY

LEWIS COUNTY  
LINCOLN COUNTY  
LOGAN COUNTY  
MARION COUNTY  
MARSHALL COUNTY  
MASON COUNTY

MC DOWELL COUNTY  
MERCER COUNTY  
MINERAL COUNTY  
MINGO COUNTY

MONROE COUNTY  
MORGAN COUNTY  
NICHOLAS COUNTY  
OHIO COUNTY

PENDLETON COUNTY  
PLEASANTS COUNTY  
POCAHONTAS COUNTY  
PRESTON COUNTY

PUTNAM COUNTY  
RALEIGH COUNTY  
RANDOLPH COUNTY  
RITCHIE COUNTY

ROANE COUNTY  
SUMMERS COUNTY  
TAYLOR COUNTY  
TUCKER COUNTY

TYLER COUNTY  
UPSHUR COUNTY  
BALANCE OF WAYNE COUNTY

(CONTINUED)

CIVIL JURISDICTIONS INCLUDED

ELIGIBLE HIGH UNEMPLOYMENT AREAS

HAMPSHIRE COUNTY  
HANCOCK COUNTY  
HARDY COUNTY  
HARRISON COUNTY  
HUNTINGTON CITY IN  
CABELL COUNTY  
WAYNE COUNTY

JACKSON COUNTY  
KANAWHA COUNTY LESS  
CHARLESTON CITY

LEWIS COUNTY  
LINCOLN COUNTY  
LOGAN COUNTY  
MARION COUNTY  
MARSHALL COUNTY  
MASON COUNTY

MC DOWELL COUNTY  
MERCER COUNTY  
MINERAL COUNTY  
MINGO COUNTY

MONROE COUNTY  
MORGAN COUNTY  
NICHOLAS COUNTY  
OHIO COUNTY

PENDLETON COUNTY  
PLEASANTS COUNTY  
POCAHONTAS COUNTY  
PRESTON COUNTY

PUTNAM COUNTY  
RALEIGH COUNTY  
RANDOLPH COUNTY  
RITCHIE COUNTY

ROANE COUNTY  
SUMMERS COUNTY  
TAYLOR COUNTY  
TUCKER COUNTY

TYLER COUNTY  
UPSHUR COUNTY  
WAYNE COUNTY LESS  
HUNTINGTON CITY

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CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

CIVIL JURISDICTIONS INCLUDED

ELIGIBLE HIGH UNEMPLOYMENT AREAS

## WEST VIRGINIA (CONT)

HAMPSHIRE COUNTY  
HANCOCK COUNTY  
HARDY COUNTY  
HARRISON COUNTY  
HUNTINGTON CITY

JACKSON COUNTY  
BALANCE OF KANAWHA COUNTY

LEWIS COUNTY  
LINCOLN COUNTY  
LOGAN COUNTY  
MARION COUNTY  
MARSHALL COUNTY  
MASON COUNTY

MC DOWELL COUNTY  
MERCER COUNTY  
MINERAL COUNTY  
MINGO COUNTY

MONROE COUNTY  
MORGAN COUNTY  
NICHOLAS COUNTY  
OHIO COUNTY

PENDLETON COUNTY  
PLEASANTS COUNTY  
POCAHONTAS COUNTY  
PRESTON COUNTY

PUTNAM COUNTY  
RALEIGH COUNTY  
RANDOLPH COUNTY  
RITCHIE COUNTY

ROANE COUNTY  
SUMMERS COUNTY  
TAYLOR COUNTY  
TUCKER COUNTY

TYLER COUNTY  
UPSHUR COUNTY  
BALANCE OF WAYNE COUNTY

(CONTINUED)

ELIGIBLE HIGH UNEMPLOYMENT AREAS

## WEST VIRGINIA (CONT)

WEBSTER COUNTY  
WETZEL COUNTY  
WIRT COUNTY  
WOOD COUNTY  
WYOMING COUNTY

## WISCONSIN

ADAMS COUNTY  
APPLETON CITY

ASHLAND COUNTY  
BAYFIELD COUNTY  
BUFFALO COUNTY  
BURNETT COUNTY  
BALANCE OF CALUMET COUNTY

BALANCE OF CHIPPEWA COUNTY

CLARK COUNTY  
COLUMBIA COUNTY  
CRAWFORD COUNTY  
DODGE COUNTY  
DOOR COUNTY  
DOUGLAS COUNTY  
EAU CLAIRE CITY

BALANCE OF EAU CLAIRE COUNTY

FLORENCE COUNTY  
FOND DU LAC COUNTY  
FOREST COUNTY  
GRANT COUNTY  
GREEN BAY CITY  
GREEN LAKE COUNTY

(CONTINUED)

WEBSTER COUNTY  
WETZEL COUNTY  
WIRT COUNTY  
WOOD COUNTY  
WYOMING COUNTY

ADAMS COUNTY  
APPLETON CITY IN  
CALUMET COUNTY  
OUTAGAMIE COUNTY  
ASHLAND COUNTY  
BAYFIELD COUNTY  
BUFFALO COUNTY  
BURNETT COUNTY  
CALUMET COUNTY LESS  
APPLETON CITY

CHIPPEWA COUNTY LESS

EAU CLAIRE CITY  
CLARK COUNTY  
COLUMBIA COUNTY  
CRAWFORD COUNTY  
DODGE COUNTY  
DOOR COUNTY  
DOUGLAS COUNTY

EAU CLAIRE CITY IN  
CHIPPEWA COUNTY  
EAU CLAIRE COUNTY  
EAU CLAIRE CITY  
FLORENCE COUNTY

EAU CLAIRE COUNTY LESS

FOND DU LAC COUNTY  
FOREST COUNTY  
GRANT COUNTY  
GREEN BAY CITY IN  
BROWN COUNTY  
GREEN LAKE COUNTY

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
WISCONSIN (CONT)	IOWA COUNTY IRON COUNTY JACKSON COUNTY JANESVILLE CITY JEFFERSON COUNTY JUNEAU COUNTY KENOSHA CITY BALANCE OF KENOSHA COUNTY KEWAUNEE COUNTY LAFAYETTE COUNTY LANGLADE COUNTY LINCOLN COUNTY MANITOWOC COUNTY MARATHON COUNTY MARINETTE COUNTY MARQUETTE COUNTY MENOMINEE COUNTY MILWAUKEE CITY MONROE COUNTY OCONTO COUNTY ONEIDA COUNTY BALANCE OF OUTAGAMIE COUNTY PEPIN COUNTY POLK COUNTY PRICE COUNTY RACINE CITY BALANCE OF RACINE COUNTY RICHLAND COUNTY BALANCE OF ROCK COUNTY RUSK COUNTY SAUK COUNTY SAWYER COUNTY

WISCONSIN (CONT)

IOWA COUNTY  
IRON COUNTY  
JACKSON COUNTY  
JANESVILLE CITY IN  
ROCK COUNTY  
JEFFERSON COUNTY  
JUNEAU COUNTY  
KENOSHA CITY IN  
KENOSHA COUNTY  
KENOSHA COUNTY LESS  
KENOSHA CITY  
KEWAUNEE COUNTY  
LAFAYETTE COUNTY  
LANGLADE COUNTY  
LINCOLN COUNTY  
MANITOWOC COUNTY  
MARATHON COUNTY  
MARINETTE COUNTY  
MARQUETTE COUNTY  
MENOMINEE COUNTY  
MILWAUKEE CITY IN  
MILWAUKEE COUNTY  
MONROE COUNTY  
OCONTO COUNTY  
ONEIDA COUNTY  
OUTAGAMIE COUNTY LESS  
APPLETON CITY  
PEPIN COUNTY  
POLK COUNTY  
PRICE COUNTY  
RACINE CITY IN  
RACINE COUNTY  
RACINE COUNTY LESS  
RACINE CITY  
RICHLAND COUNTY  
ROCK COUNTY LESS  
JANESVILLE CITY  
RUSK COUNTY  
SAUK COUNTY  
SAWYER COUNTY

(CONTINUED)

CIVIL JURISDICTIONS WITH HIGH UNEMPLOYMENT  
ELIGIBLE FOR ASSISTANCE UNDER P.L. 98-8

ELIGIBLE HIGH UNEMPLOYMENT AREAS	CIVIL JURISDICTIONS INCLUDED
WISCONSIN (CONT)	SHAWANO COUNTY SHEBOYGAN COUNTY ST. CROIX COUNTY TAYLOR COUNTY TREMPEALEAU COUNTY VERNON COUNTY VILAS COUNTY WASHINGTON COUNTY WASHINGTON COUNTY WAUKESHA CITY IN WAUKESHA COUNTY WAUKESHA COUNTY LESS WAUPACA COUNTY WAUSHARA COUNTY WINNEBAGO COUNTY WOOD COUNTY

WISCONSIN (CONT)

SHAWANO COUNTY  
SHEBOYGAN COUNTY  
ST. CROIX COUNTY  
TAYLOR COUNTY  
TREMPEALEAU COUNTY  
VERNON COUNTY  
VILAS COUNTY  
WASHINGTON COUNTY  
WASHINGTON COUNTY  
WAUKESHA CITY IN  
WAUKESHA COUNTY  
WAUKESHA COUNTY LESS  
WAUPACA COUNTY  
WAUSHARA COUNTY  
WINNEBAGO COUNTY  
WOOD COUNTY  
BALANCE OF WAUKESHA COUNTY  
WAUPACA COUNTY  
WAUSHARA COUNTY  
WINNEBAGO COUNTY  
WOOD COUNTY  
WYOMING  
LINCOLN COUNTY

[FR Doc. 83-10714 Filed 4-21-83; 8:45 am]  
BILLING CODE 4510-30-C





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Friday  
April 22, 1983

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**Part III**

**Department of Labor**

**Employment Standards Administration  
Wage and Hour Division**

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**Minimum Wages for Federal and  
Federally Assisted Construction; General  
Wage Determination Decisions**

## DEPARTMENT OF LABOR

Employment Standards  
Administration, Wage and Hour  
DivisionMinimum Wages for Federal and  
Federally Assisted Construction;  
General Wage Determination  
Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register**

without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas  
Decisions to General Wage  
Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and

self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

Modifications to General Wage  
Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

Arkansas:	
AR82-4036	July 9, 1982.
AR82-4037	July 9, 1982.
AR82-4038	July 23, 1982.
California: CA82-5118	Aug. 20, 1982.
Colorado: CO83-5109	Apr. 8, 1983.
Connecticut:	
CT82-3001	Feb. 5, 1982.
CT81-3032	May 15, 1981.
District of Columbia: DC82-3031	Nov. 12, 1982.
Florida:	
FL82-1083	Nov. 19, 1982.
FL83-1016	Apr. 1, 1983.
Georgia:	
GA82-1002	Jan. 21, 1983.
GA82-1003	Jan. 21, 1983.
Indiana:	
IN83-2026	Mar. 25, 1983.
IN83-2029	Apr. 8, 1983.
Massachusetts:	
MA81-3050	Aug. 28, 1981.
MA81-3054	Sept. 4, 1981.
Mississippi: MS83-1015	Apr. 1, 1983.
Montana: MT83-5101	Feb. 18, 1983.
Pennsylvania:	
PA82-3010	Mar. 5, 1982.
PA82-3016	May 14, 1982.
PA82-3028	Sept. 19, 1982.
PA82-3027	Oct. 8, 1982.
Ohio: OH83-2006	Feb. 11, 1983.
Oregon: OR83-5100	Feb. 18, 1983.
Texas:	
TX82-4025	June 18, 1982.
TX82-4004	Jan. 7, 1983.
Utah: UT83-5108	Mar. 25, 1983.
Virginia: VA81-3015	Mar. 6, 1981.
Wisconsin:	
WI82-2024	Apr. 9, 1982.
WI82-2004	Feb. 26, 1982.

Supersedeas Decisions to General Wage  
Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded:

Florida:	
FL83-1029 (FL82-1019)	Mar. 12, 1982.
FL83-1030 (FL81-1254)	June 26, 1981.
FL83-1031 (FL79-1040)	Feb. 16, 1979.
FL83-1028 (FL82-1005)	Feb. 19, 1982.
Indiana: IN83-2031 (IN80-2015)	Apr. 11, 1980.

Signed at Washington, D.C. this 15th day of April 1983.

**Dorothy P. Come,**  
*Assistant Administrator, Wage and Hour  
Division.*

BILLING CODE 4510-27-M

## MODIFICATIONS P. 1

DECISION NO. #82-4036-Mod. #5 47FR29974-July 9, 1982 Pulaski County, Arkansas	DECISION NO. C882-5118 - Mod. #8 (47 FR 3551) - August 20, 1982 Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties, California	DECISION NO. C083-5109 - Mod. #1 (48 FR 15404 - April 8, 1983) Statewide, Colorado
CHANGE: Painters, paperhangers, steam cleaners, sheetrock finishers and wall cover hangers \$11.00 .63 Spray gun operator and sandblasters 11.60 .63 All skeleton steel and all work on stages, structural steel over 30 feet high 11.25 .63	CHANGE: Sheet Metal Workers: Area 5 \$20.08 \$4.28	CHANGE: Electricians - Area 4 Line Construction: Maintenance Man 14.62 2.06+3% Add: Laborers ("tunnels"): Group 1: Outside Laborer Group 2: Minimum Tunnel Labor: Dry Houseman 3-3/4%
DECISION #A82-4037-Mod. #4 47FR29975-July 9, 1982 Jefferson County, Arkansas		
CHANGE: Painters, paperhangers, steam cleaners, sheetrock finishers and wall cover hangers 11.00 .63 Spray gun operator and sandblasters 11.60 .63 All skeleton steel and all work on stages, structural steel over 30 feet high 11.25 .63		
DECISION #A82-4038-Mod. #4 47FR32032-July 23, 1982 Union and Ouachita Counties, Arkansas		
CHANGE: Bricklayers 12.50 1.60		

## MODIFICATIONS P. 2

DECISION NO. CT82-3001 - MOD. #12 (47 FR 5612 - February 5, 1982) FAIRFIELD, LITCHFIELD AND WINDHAM COUNTIES, CONN.	DECISION NO. DC82-3031-Mod. #14 (47 FR 51304-November 12, 1982) District of Columbia; Mary- land-Montgomery & Prince Georges Counties; DC Training School; Virginia- Independent City of Alex- andria, Arlington, & Fairfax Counties.	DECISION NO. CT81-3032 - MOD. #25 (46 FR 20740 - May 15, 1981) HARTFORD, MIDDLESEX, NEW HAVEN, NEW LONDON AND TOLLAND COUNTIES, CONN.
CHANGE: ELECTRICIANS AREAS 1&5 15.48 2.48+ AREAS 2 17.20 9.25+ 3.05+ 3.75%	CHANGE: CARPET LAYERS \$ 9.98 .50	CHANGE: ELECTRICIANS AREAS 1&3 17.20 3.05+ 3.75% AREA 2 14.95 3.31+ 3% AREA 5 17.65 2.07+ 3%

## MODIFICATIONS P. 4.

Decision No. 1. FB2-1083 - Mod. # 3 (November 19, 1962 in 47 FR 52317)	Basic Hourly Rates	Fringe Benefits
CAPE CANAVERAL AFS, PATRICK AFB, KENNEDY SPACE FLIGHT CENTER, & MELABAR RADAR SITE IN BREVARD & VOLUSIA COUNTIES IN FLORIDA. BUILDING, HEAVY, & HIGHWAY CONSTRUCTION	\$ 11.62 12.12 14.30 14.55 13.11 9.18 13.57	1.55 1.55 3+1.55 3+1.55 a + 2.65 a + 2.65 1.90
CHANGE: CARPENTERS: Carpenters Piledrivers ELECTRICIANS: Wiremen Cable Splicers ELEVATOR CONSTRUCTORS: Mechanics Helper MILLRIGHTS		
FOOTNOTE: a. Six Paid Holidays - New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. Regular hourly rate to Vacation Pay Credit for Employee who has worked in business more than 5 years; 6% for Employee who has worked in business less than 5 years.		
DECISION NO. FB2-1016 -- MOD. # 1 (April 1, 1983 - 48 FR 14307) DADE CO., FLORIDA BUILDING CONSTRUCTION CHANGE: MILLRIGHTS Piledrivers	\$14.02 14.10	2.10 2.45
DECISION #GA83-1003 - Mod. #2 (48 FR 2931 - January 21, 1983) DeKalb & Fulton Counties, Georgia CHANGE: Carpenters: Rail transit & related work All other construction projects	\$14.00 12.75	1.77 1.77
DECISION #GA83-1002 - Mod. #2 (48 FR 2930 - January 21, 1983) Clayton, DeKalb, & Fulton Counties, Georgia CHANGE: Carpenters, Drywall hangers, & Beall's floor layers: Projects 10 stories or less, & hospital contracts \$10,000 000.00 or less All other projects, including Rail transit & related work	\$12.75 14.00	1.77 1.77
DECISION #GA83-1016 - Mod. #2 (48 FR 15417 - April 8, 1983) Adams, Allen, Bartholo- meo, Benton, Blackford, Boone, Cass, Clinton, DeKalb, Delaware, Foun- tain, Fulton, Grant, Hamilton, Hancock, Hen- dricks, Howard, Hunting- ton, Jay, Johnson, Madi- son, Marion, Miami, Monroe, Montgomery, Mor- gan, Noble, Shelby, Steuben, Tippecanoe, Tip- ton, Wabash, Warren, Wells, White & Whitely Counties CHANGE: ELECTRICIANS: Area 2: Area 4: Area 5: MARBLE SETTERS: TILE SETTERS & TERRAZZO WORKERS: Area 5: Marble & Tile Setters Terrazzo Workers & Mosaic PAINTERS: Area 3: Spray Area 7: Brush Spray & Sandblasting Drywall Taping PLUMBERS & STEAMFITTERS: Area 7:	\$15.42 14.83 13.80 15.00 15.32 15.57 17.78 15.68 14.39 13.55	1.99 2.35 2.05 1.50 2.00 2.00 2.85 2.20 2.20 2.20
DECISION NO. IN83-2026 Mod # 2 (48 FR 12642 - March 25, 1983) Clay, Davless. Gibson, Greene, Knox, Martin, Parke, Pike, Posey, Putnam, Sullivan, Vanderburgh, Vermillion & Vigo Counties CHANGE: CARPENTERS: Area 2: Piledrivers CEMENT MASONS: Area 3: PLASTERERS: Area 1: ROOFERS: Area 1: Area 2: Composition & water- proofers Slate, Tile, Asbestos & tile Asbestos, & Precast Slab SHEET METAL WORKERS: Area 2: POWER EQUIPMENT OPERATORS Area 1: Group 1 Group 2 Group 3	\$15.42 14.83 13.80 15.00 15.32 15.57 17.78 15.68 14.39 13.55	1.99 2.35 2.05 1.50 2.00 2.00 2.85 2.20 2.20 2.20
DECISION NO. IN83-2029 Mod # 1 (48 FR 15417 - April 8, 1983) Adams, Allen, Bartholo- meo, Benton, Blackford, Boone, Cass, Clinton, DeKalb, Delaware, Foun- tain, Fulton, Grant, Hamilton, Hancock, Hen- dricks, Howard, Hunting- ton, Jay, Johnson, Madi- son, Marion, Miami, Monroe, Montgomery, Mor- gan, Noble, Shelby, Steuben, Tippecanoe, Tip- ton, Wabash, Warren, Wells, White & Whitely Counties CHANGE: ELECTRICIANS: Area 2: Area 4: Area 5: MARBLE SETTERS: TILE SETTERS & TERRAZZO WORKERS: Area 5: Marble & Tile Setters Terrazzo Workers & Mosaic PAINTERS: Area 3: Spray Area 7: Brush Spray & Sandblasting Drywall Taping PLUMBERS & STEAMFITTERS: Area 7:	\$16.95 16.30 17.55 17.55 17.71 17.46 16.92 14.70 15.45 14.70 17.95	16.5% 2.20 + 1.35 + 3 1/5% 1.39 1.63 1.70 2.39 2.39 2.35 2.30

DECISION NO. MT83-5101 - Mod. #1  
(48 FR 7370 - February 18, 1983)  
Statewide, Montana

Change:  
BRICKLAYERS: MARBLE  
MASONRY:  
Area 4

CARPENTERS:  
Carpenters  
Piledrivers  
Millwrights  
ELECTRICIANS:  
Area 5

PLUMBERS:  
Area 3

LABORERS:  
Area 2

Group 1  
Group 2  
Group 3  
Group 4  
Group 5

TERRAZZO WORKERS and  
TILE SETTERS:  
Area 1

Basic Hourly Rates	Fringe Benefits
\$14.05	1.30
12.43	2.46
12.68	2.46
13.43	2.46
16.80	1.60+
	.34%
17.45	2.10
10.39	2.25
10.50	2.25
10.59	2.25
10.84	2.25
10.94	2.25
14.05	1.30

DECISION NO. MSB3-1015 -- MOD. #1 (April 1, 1983 in 48 FR 14312) HINDS CO., MISSISSIPPI BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits
CHANGE: CARPENTERS: Carpenters Power Saw Operators (1 hp or over) Fiber Glass Insulation Application Millwrights Piledrivers	\$ 11.00 11.25 11.15 11.60 11.35	1.00 1.00 1.00 1.00 1.00
DECISION NO. MA81-3050 - MOD. #6 (46 FR 43625 - August 28, 1981) WORCESTER COUNTY, MASS.	Basic Hourly Rates	Fringe Benefits
CHANGE: CARPENTERS, SOFT FLOOR LAYERS: Hardwick, Warren, W. Brookfield Remainder of County LABORERS (HEAVY & HIGHWAY) CLASS I CLASS II CLASS III CLASS IV	14.90 15.81 12.70 12.95 13.45 13.70	2.72 3.52 2.35 2.35 2.35 2.35
DECISION NO. MA81-3054 - MOD. #14 (46 FR 44631 - Sept. 4, 1981) BARNSTABLE, BRISTOL, DUKES, ESSEX, MIDDLESEX, NANTUCKET, NOBOLK, PLYMOUTH AND SUFFOLK COUNTY, MASS.	Basic Hourly Rates	Fringe Benefits
CHANGE: LABORERS (HEAVY & HIGHWAY) CLASS I CLASS II CLASS III CLASS IV	12.70 12.95 13.45 13.70	2.35 2.35 2.35 2.35

DECISION NO. PA82-3010 MOD. NO. 7 (47 FR 9684 - March 5, 1982) Clinton, Centre, Huntingdon, Fulton & Mifflin Counties, Pennsylvania	Basic Hourly Rates	Fringe Benefits
CHANGE: Sheet metal workers: Centre, Huntingdon, Fulton & Mifflin Counties, Pa. Millwrights	\$15.01 13.91	4.13 39%
DECISION NO. PA82-3016 MOD. NO. 3 (47 FR 20990 - May 14, 1982) Northampton County, Pennsylvania	Basic Hourly Rates	Fringe Benefits
CHANGE: Electricians: Allen, Hanover, Lehigh, Bath, Freemansburg, Hellertown and Bethlehem Sheet metal workers Soft floor layers	13.35 15.01 13.55	1.84+3% 4.13 3.11
DECISION NO. PA82-3028 MOD. NO. 5 (47 FR 39972 - Sept. 19, 1982) Elk, Forest, McKean & Warren Counties, Pennsylvania	Basic Hourly Rates	Fringe Benefits
CHANGE: Asbestos Workers: Forest County Electricians: Forest & Warren Counties, Pa. MILLRIGHTS: Warren County	17.24 16.15 13.91	2.43 4.45+ 39%

DECISION NO. OR83-5100 - Mod. #2 (48 FR 7379 February 18, 1983) Statewide Oregon	Basic Hourly Rates	Fringe Benefits
CHANGE: PAINTERS: Area 1: Brush Spray Bridges, High work over 50' (Brush) Bridges, High Work over 50' (Spray)	\$14.94 15.49 15.84 16.39	\$3.94 3.94 3.94 3.94

DECISION NO. OR83-2006 - MOD. #3  
(48 FR 6459 - February 11, 1983)  
Statewide, Ohio

Change:  
Footnotes:  
1. \$68.00 per week per employee; 1 week's paid  
vacation for 1 year of service; 2 weeks' paid  
vacation for 5 years, 3 weeks' paid  
vacation for 10 years and 4 weeks' paid  
vacation for 17 years' service; 7 Paid  
Holidays: A through E, G, & National  
Election Day

## MODIFICATIONS P. 7

## SUPERSEDES DECISION

DECISION NO. TX82-4025 - MOD. #8 (47 FR 26550 - 6/18/82) Brazos County, Texas CHANGE: Pipefitters Plumbers	Basic Hourly Rates \$17.80 19.72	Fringe Benefits 2.28 1.75
DECISION NO. TX83-4004 - MOD. #5 (48 FR 936 - 1/7/83) Galveston & Harris Cos., Texas CHANGE: Pipefitters Plumbers	Basic Hourly Rates 17.80 19.72	Fringe Benefits 2.28 1.75

## DECISION NO. UM83-5108 - Mod. #3

(48 FR 12651 - March 25, 1983) Statewide, Utah Omit: Carpenters schedule as originally issued Add: Carpenters: Building Construction: Carpenters Saw Operators Scaffold Builder Millwrights Piledrivermen Heavy and Highway Construction: Zone 1: Carpenters Saw Operators: Carpenters handling creosote materials Scaffold Builder Piledrivermen Zone 2: Carpenters Saw Operators: Carpenters handling creosote materials Scaffold Builder Piledrivermen	Basic Hourly Rates \$12.65 12.90 13.15 13.90 18.79 13.83 14.08 14.33 18.79 16.33 15.58 16.83 18.79	Fringe Benefits 1.95 1.95 1.95 1.95 1.95 1.95 1.95 1.95 1.95 1.95 1.95 1.95 1.95 1.95
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DECISION NO. W182-2004 Mod. #2 (47 FR 8541 - February 26, 1982) ASHLAND, BAYFIELD & DOUGLAS COUNTIES, WISCONSIN CHANGE: LABORERS: Ashland County: General Laborers Plaster Laborers, Air Spade & Jackhammer Op. Bayfield & Douglas Cos.: General Laborers Plaster Laborers, Air Spade & Jackhammer Op.	Basic Hourly Rates \$10.88 11.03 12.47 12.72	Fringe Benefits 1.43 1.43 1.93 1.93
DECISION NO. W182-2024 - MOD. #4 (47 FR 15513 - April 9, 1982) Racine County, Wisconsin Change: Laborers: General Air Tools, Power Tools Mortar Mixer, Plaster- er Tender	Basic Hourly Rates \$11.62 11.94 11.75	Fringe Benefits 2.28 2.28 2.28
DECISION NO. VAB1-3015-Mod. #10 (46 FR 15666-March 6, 1981) Radford Army Ammunition Plant, Virginia CHANGE: PLUMBERS AND PIPEFITTERS	Basic Hourly Rates 13.10	Fringe Benefits 2.42

## STATE: FLORIDA

COUNTY: VOLUSTA (except Cape Kennedy  
Space Flight Center & Cape Canaveral  
Air Force Station)

DECISION NUMBER: FL83-1099 /

Supersedes Decision No.: FL82-1019 dated March 12, 1982 in 47 FR 10946.

DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (excluding single family homes  
& apartments of 4 stories or less).

	Basic Hourly Rates	Fringe Benefits
ASBESTOS WORKERS	\$15.65	1.88
BOILERMAKERS	16.20	3.315
BRICKLAYERS	8.40	.75
CARPENTERS	11.07	1.50
ELECTRICIANS:		
a. Base Zone-(within 40 miles of Daytona Beach).	12.13	3+1.55
Electricians	12.38	3+1.55
b. Zone I-(all work beyond 40 miles of Daytona Beach & not accessible by public roads--Industrial work in excess of \$300,000 electrical or \$3,000,000 total permit-- Power generation plants)		
Electricians	14.30	3+1.55
Cable Splicers	14.55	3+1.55
ELEVATOR CONSTRUCTORS:		
Mechanic	13.11	2.69+
Helper	9.18	2.69 +
IRONWORKERS:		
a. Air Tool Oper., Mason Tenders, Mortar Mixers, Pipelayers (clay & concrete), Plasterers Tenders	13.68	3.10
b. Unskilled	8.15 8.00	.64 .64
LATHERS	\$ 8.88	.75
MARBLE SETTERS	8.40	.75
MILLWRIGHTS	13.57	1.90
PAINTERS	9.75	1.47
Brush & Roller	10.80	1.28
Paperhangers, Sandblaster, & Spray	11.30	1.28
PLUMBERS, PIPEFITTERS, & STEAMFITTERS:		
a. Commercial	13.22	1.60
b. Industrial	16.75	2.17
ROOFERS:		
a. Roofers	11.50	1.00
b. Kettlemen	10.05	1.00
SHEET METAL WORKERS	10.96	1.07+
SOFT FLOOR LAYERS	9.25	1.47
SPRINKLER FITTERS	15.00	2.88
TILE & TERRAZZO WORKERS	8.40	.75
WELDERS--Rate for Craft		
POWER EQUIPMENT OPERATORS:		
Group I	12.84	1.70
Group II	11.56	1.70
Group III	9.26	1.70

FOOTNOTES: a. Six Paid Holidays--New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, & Christmas Day. Employer contributes 6% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years, 6% of regular hourly rate for employee who has worked in business less than 5 years.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

## SUPERSEDES DECISION

STATE: FLORIDA COUNTY: BAY  
 DECISION NUMBER: FL83-1030 DATE: DATE OF PUBLICATION  
 Superseded Decision No.: FL81-1254 dated June 26, 1981 in 46 FR 31180.  
 DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (does not include single family homes & apartments up to and including 4 stories).

Basic Hourly Rates	Fringe Benefits	Basic Hourly Rates	Fringe Benefits
BRICKLAYERS		ROOFERS	
CARPENTERS	98.00	SHEET METAL WORKERS	\$ 5.26
CARPET LAYERS	5.43	SOFT FLOOR LAYERS	6.00
CEMENT MASONS	5.00	SPRINKLER FITTERS	5.00
DRYWALL HANGER	6.31	TILE SETTERS	15.00
ELECTRICIANS	14.56	TRUCK DRIVERS	6.20
		WELDERS-Rate for Craft	3.60
IRONWORKERS	8.77	POWER EQUIPMENT OPERATORS:	
LABORERS:		Bulldozers	4.76
Unskilled	3.60	Crane	5.43
Plasterers Tenders	5.00		
PAINTERS	6.00		
PLASTERERS	7.53		
PLUMBERS & PIPEFITTERS	6.00		

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

DECISION NUMBER: FL83-1029 PAGE TWO.

## POWER EQUIPMENT OPERATORS: CLASSIFICATION DEFINITIONS --

Group I - Crane or Derrick, Cram Shell, Dragline, Piledriver (including Auger & Boring Machine for drilling in piling), Backhoe, Hydra Crane, Grapple, Shovel, Patrol, Cable Wayseper, Tugboat Captain (150 hp or more), Multi-Bowl (similar to R.G. Lorraine Model L-60-2 or 3 twenty cubic yard scrapers), side Boom Cat, Multi-Drum Hoist for Rigging work, Mechanic (heavy equipment), Tower Crane (stationary, Climbing, & Travelling), Gantry Crane, Locomotive Crane, Bridge Crane (over 20 tons capacity), Concrete Pump w/boom (mobile), Highlift or Forklift (10' or higher), Locomotive Engineer (for job use that does not infringe upon the rights of Railroad Unions).

Group II - Bulldozer, Bridge Crane (20 tons & under), Highlift or Forklift (less than 10'), Straddle Buggy, Hoist (other than rigging work) including Winch Truck where Winch Truck is not mobile & used as a Hoist, Trenching Machine (ladder & wheel type), over 6' cut & over 24" in width, Concrete Paver, Scraper, Front End Loader, Fireman-Plating Equipment, Mobile Winch Truck, Self-Propelled Sub-Grader, Asphalt Paving Machine, Lubricating Engineer (mobile plant), Pavement Breaker.

Group III - Tractor Operated Sweeper, Trenching Machine (ladder & wheel type) Maximum cut 6' & maximum width 24", Fireman, Self-Propelled Roller, Wellpoint pump, Supervise installation (one Oper. for 3 pumps, not including standby units, within 300 ft. radius), Asphalt Distributor, Water Truck Driver, Motor Boat, Oiler, Pumpman (other than wellpoint) up to & including Pumps w/in 300 ft. radius, Conveyors (motor operated) Welding Machine (3 or more combustion type), Pulver Mixer, Compressor (from 1 up to & including 3 compressors within 300 ft. radius, Self-Propelled Sweeper, Combination Pump, Compressor & Combustion Type Welding Type Machine (any group of 3 units) w/300 ft. radius, Concrete Mixer, Concrete Pump, Tractor, Street Sweeping Machine.



## SUPERSEDEAS DECISION

STATE: FLORIDA  
 COUNTY: HILLSBOROUGH  
 DECISION NUMBER: FL83-1031  
 DATE: DATE OF PUBLICATION  
 SUPERSEDES DECISION No.: FL79-1040 dated February 16, 1979 in 44 FR 10230.  
 DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (excluding single family homes & garden type apartments up to & including 4 stories.)

Basic Hourly Rates	Fringe Benefits	Basic Hourly Rates	Fringe Benefits
\$16.20	3.31%	PAINTERS:	
9.15		Brush & Roller:	
9.10	1.67	over 15,001 sq ft	1.18
13.28	1.67	under 15,000 sq ft	1.18
9.95	1.60	PILEDRIVERS	1.67
7.87		PLASTERERS	1.50
11.56	2.12	PLUMBERS	1.50
5.14		ROOFERS:	
		Roofers	7.22
		Kettlemen	11.70
		SPRINKLER FITTERS	8.35
11.50	.45+	TILE SETTERS	15.00
11.96	3.75%	WELDERS-Rate for Craft	10.15
8.84	.45+	POWER EQUIPMENT OPERATORS:	
6.67	3.75%	Group A	14.31
13.57	1.90	Group B	13.31
		Group C	12.995
		Group D	12.715
		Group E	10.675
		Group F	10.325
		Group G	10.035

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the Labor Standards Contract Clauses (29 CFR, 5.5 (a) (1) (ii)).

GROUP A: Cat Cranes, Truck Cranes, Piledriver Crane, Derrick, Dragline, Material Hoist w/Chicago Boom, Material Hoist w/2 Arms, Hydraulic lift form, Diesel Electric & Steam Generators, Motor Grader, pumppore or similar Machine, Cherry Picker, Gradall, Hypto & wheelabrator & Mechanic, Tractor Backhoe, Drill, Rig & Tack Boom Tractor.

GROUP B: Tugger Hoist.

GROUP C: Trenching Machine over 24" Winch Truck, material hoist (elevator type).

GROUP D: Crawler Bulldozer, Crawler tractor & turnapull, heavy huff type front end loader, heavy DW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator.

GROUP E: Air compressor 125 cu ft. or over.

GROUP F: Wellpoint system & pumps, material hoist, front end loader other than huff type, rubber tired tractor w/attachments other than backhoe.

GROUP G: Concrete mixer, rubber tired tractor w/out attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps.

150ft boom, including jib scale of top operator classification plus \$.25 per hr. Tower Crane Operators \$.25 per hr above top operator classification not including long boom pay.

## SUPERSEDEAS DECISION

STATE: FLORIDA  
 COUNTY: DUVAL  
 DECISION NUMBER: FL83-1028  
 DATE: DATE OF PUBLICATION  
 SUPERSEDES DECISION No.: FL82-1005 dated February 19, 1982 in 47 FR 7596.  
 DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments of four stories or less).

Basic Hourly Rates	Fringe Benefits	Basic Hourly Rates	Fringe Benefits
\$15.65	1.88	MILLWRIGHTS	1.67
16.20	3.31%	PAINTERS	11.05
11.65	1.41	PLASTERERS	9.00
11.32	1.58	PLUMBERS	15.15
10.61	1.35	ROOFERS:	
		Roofers	12.66
13.30	2.37+	Kettlemen	9.50
13.65	2.37+	SHEET METAL WORKERS	13.63
12.19	2.465	SPRINKLER FITTERS	15.00
8.53	2.465	WELDERS-Rate for Craft	2.88
6.095	1.78	POWER EQUIPMENT OPERATORS:	
12.75		Group I	12.84
		Group II	11.56
		Group III	9.26
		LABORERS:	
		Gunnite Workers, Mechanical Tool Oper., Power Buggy Oper., & Pipe-layers	.70
		Unskilled Linemen	.70
		Cable Splicer	3.25+
		Heavy Equipment Oper.	3.25+
		Winch Truck Oper.	2.24+
		Groundmen	1.94+
			1.63+

POWER EQUIPMENT OPERATORS: Classification Definitions.

Group I - Crane or derrick oper., clam shell oper., dragline oper., piledriver oper., including auger & boring machine oper. for drilling in piling, backhoe oper., hydra crane oper., gradall oper., shovel oper., patrol oper., cable ways oper., tugboat captain (150 hp or more), built-in bowl oper. (similar to R.G. Latourneau Model L-60-2 or 3 twenty cubic yard scrapers), side boom cat oper., multi-drum hoist oper. for rigging work, mechanic (heavy equipment), tower crane oper. (stationary, climbing, & travelling), gantry crane oper., locomotive crane oper., bridge crane oper. (over 20 ton capacity), concrete pump w/boom (mobile) oper., high lift or forklift oper. (10 ft or higher).

Group II - Bulldozer, bridge crane (20 tons & under), highlight or forklift (less than 10 ft), straddle buggy, hoist (other than rigging work) including winch truck oper. where winch truck is not mobile & used as a hoist, trenching machine, (ladder & wheel type) over 6 ft cut & over 24 inches in width, concrete paver, scraper, front end loader, fireman-floating equipment, mobile winch truck, self-propelled sub-grader, asphalt paving machine, lubricating engineer (mobile plant, pavement breaker).

Group III - Tractor operated sweeper, trenching machine (ladder & wheel type) maximum cut 6 ft & maximum width 24 inches fireman, self-propelled roller, wellpoint pump & superwise installation (one operator for 3 pumps, not including standby units, w/in 300 ft radius), asphalt distributor, water truck driver, motor boat, oiler, pumpman (other than wellpoint), up to & including pumps w/in 300 ft radius, conveyor (motor operated), welding machine (3 or more combustion type), pulverizer, compressor (from 1 up to & including 3 compressors) w/in 300 ft. radius, self-propelled sweeper, combination pump, compressor combustion type welding machine, (any group of 3 units) with 300 ft radius, concrete mixer, concrete pump, tractor, street sweeping machine.

FOOTNOTE:

a. Six Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, & Christmas Day.

Employer contributes 6% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years; 8% for employee who has worked in business more than 5 years.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Indiana  
DECISION NUMBER: IN83-2031  
Supersedes Decision No.: IN80-2015, dated April 11, 1980 in 45 PR 24985  
DESCRIPTION OF WORK: Heavy and Highway Construction Projects

COUNTIES: \*See below

DATE: Date of Publication

\*Statewide, except Lake, Laporte, Porter and St. Joseph Counties

		Basic Hourly Rates		Fringe Benefits	
		Basic Hourly Rates	Fringe Benefits	Basic Hourly Rates	Fringe Benefits
<b>CARPENTERS:</b>					
Area 1	Area 3	\$17.10	3.57	12.94	1.63
Area 2	Area 4	14.11	2.35	14.85	2.12
Area 3	Area 5	14.61	3.40	14.70	2.39
Area 4	Area 6	14.46	2.25		
Area 5	Area 7	13.76	2.55		
<b>CEMENT MASONS:</b>					
Area 1	Area 8	12.85	1.57	13.65	1.70
Area 2	Area 9	15.12	1.58	13.90	1.70
Area 3	Area 10	13.70	1.85	16.92	1.70
Area 4	Area 11	12.45	1.80	14.65	1.70
Area 5	Area 12	13.95	1.95	10.65	.50
Area 6	Area 13	12.64	2.08	12.15	.50
Area 7	Area 14	14.85	2.10		
Area 8	Area 15	14.95	1.60	14.30	1.40
Area 9	Area 16	18.83	2.35	15.30	1.40
Area 10	Area 17	13.05	1.05		
Area 11	Area 18	14.35	1.95	8.90	.30
Area 12	Area 19	13.91	1.83	9.65	.30
Area 13	Area 20	13.40	1.90	9.90	.30
Area 14	Area 21	16.35	1.00		
Area 15	Area 22	14.21	3.54	11.25	
Area 16	Area 23	18.00	2.16	12.25	
Area 17	Area 24	14.68	2.03	11.50	
Area 18	Area 25			12.25	
<b>IRONWORKERS:</b>					
Area 1	Area 26	15.00	6.09	13.25	
Area 2	Area 27	15.40	4.56		
Area 3	Area 28	17.80	2.87	10.80	.80
Area 4	Area 29	18.20	4.20	11.80	.80
Area 5	Area 30	15.40	3.60		
Area 6	Area 31	15.55	3.60	15.00	
Area 7	Area 32	14.79	3.32	16.50	
Area 8	Area 33	16.26	2.95	9.83	.58
Area 9	Area 34	15.25	4.05	10.28	.58
Area 10	Area 35	16.28	3.18	14.70	1.50
<b>PAINTERS:</b>					
Area 1	Area 36	16.18	3.12	15.70	1.50
<b>Reinforcing</b>					
Area 1	Area 37	12.75	2.07		
Area 2	Area 38	13.85	2.07		
Area 3	Area 39	12.55	1.75		
Area 4	Area 40	13.55	1.75		

## DECISION NO. IN83-2031

LABORERS:	Basic Hourly Rates	Pringe Benefits	TRUCK DRIVERS:	Basic Hourly Rates	Pringe Benefits
Group 1	10.98	1.94	Group 1	12.81	92.50a
Group 2	11.13	1.94	Group 2	12.76	92.50a
Group 3	11.18	1.94	Group 3	12.71	92.50a
Group 4	11.28	1.94	Group 4	12.66	92.50a
Group 5	11.83	1.94	Group 5	12.61	92.50a
POWER EQUIPMENT OPERATORS:			Group 6	12.56	92.50a
Area 1:			Group 7	12.51	92.50a
Group 1	16.30	3.55	Group 8	12.46	92.50a
Group 2	15.85	3.55	Group 9	12.41	92.50a
Group 3	15.40	3.55	Group 10	12.36	92.50a
Group 4	14.20	3.55	Group 11	12.31	92.50a
Group 5	13.70	3.55	Group 12	12.21	92.50a
Area 2:			FOOTNOTE:		
Group 1	15.16	4.28	a. Per Week		
Group 2	13.55	4.28			
Group 3	12.28	4.28	LINE CONSTRUCTION:		
Group 4	10.86	4.28	Area 1:		
Area 3:			Linenman, Line Truck	17.09	2.20
Group 1	17.09	2.20	Op. Mechanical Equip-	15.27	2.20
Group 2	15.27	2.20	ment Op.	14.35	2.20
Group 3	14.35	2.20	Groundman	12.74	2.20
Group 4	12.74	2.20	Area 2:		
Area 4:			Linenman, Heavy	16.90	2.35
Group 1	16.90	2.35	Equipment Operators	10.75	2.35
Group 2	10.75	2.35	Tool Handling Splicer	14.78	2.20
Area 5:			Truck Driver	13.28	2.20
Group 1	14.78	2.20	Groundman	11.75	2.20
Group 2	13.28	2.20	Area 3:		
Group 3	11.75	2.20	Linenman, Groundman		
POWER EQUIPMENT OPERA-			Equipment Op., Craw-		
TORS (Underground and			ler Type Equip.	3.70	
Utility Construction)			Larger than D-4	3.70	
Area 1:			Groundman Truck Driver	3.70	
Group 1	17.65	3.70	W/Winch	3.70	
Group 2	17.15	3.70	Groundman Truck Driver	14.00	
Group 3	15.30	3.70	W/O Winch		
Group 4	14.00	3.70	Groundman	16.55	2.20
Area 3:			Area 4:		
Group 1	16.55	2.20	Linenman, Groundman	2.20	
Group 2	15.65	2.20	Equip. Op., Crawler	2.20	
Group 3	12.75	2.20	Type Equip. Larger	2.20	
Group 4	11.25	2.20	than D-4	2.15	
Area 5:			Groundman Truck Driver	14.83	2.15
Group 1	14.83	2.15	W/Winch	13.33	2.15
Group 2	13.33	2.15	Groundman Truck Driver	11.80	
Group 3	11.80		W/O Winch		
			Groundman		

## DECISION NO. IN83-2031

## AREA DESCRIPTIONS

## CARPENTERS

Area 1 - Jasper, Newton, & Starke Counties  
 Area 2 - Adams, Benton, Carroll, Cass, Clinton, Elkhart, Fulton, Grant, Howard, Huntington, Kosciusko, Marshall, Miami, Pulaski, Tippecanoe, Tipton, Wabash, Wells & White Counties  
 Area 3 - Boone, Fountain, Hamilton, Hancock, Hendricks, Johnson, Marion, Montgomery, Morgan, Parke, Putnam, Vermillion (North of Clinton) & Warren Counties  
 Area 4 - Clay, Daviess, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Orange, Owen, Sullivan, Vermillion (Remainder of Co.), & Vigo Counties  
 Area 5 - Remainder of Counties

## CEMENT MASONS

Area 1 - Adams, Allen, DeKalb, Noble, Steuben & Whitley Counties  
 Area 2 - Elkhart, Lagrange & Kosciusko Counties  
 Area 3 - Blackford, Delaware, Grant, Huntington, Jay, Randolph, Wabash & Wells Counties  
 Area 4 - Decatur, Fayette, Franklin, Rush, Union and Wayne Cos.  
 Area 5 - Bartholomew, Brown, Dearborn, Jackson, Jefferson, Jennings, Lawrence, Ohio, Orange, Ripley, Scott, Shelby, Switzerland and Washington Counties  
 Area 6 - Clark, Floyd and Harrison Counties  
 Area 7 - Crawford, Dubois, Perry, Posey, Spencer, Vanderburgh & Warrick Counties  
 Area 8 - Daviess, Gibson, Knox, Martin & Pike Counties  
 Area 9 - Green & Sullivan Counties  
 Area 10 - Clay, Owen (S. W. Pan handle only), Park, Putnam, Vermillion & Vigo Counties  
 Area 11 - Monroe, Morgan (St) and Remainder of Owen Counties  
 Area 12 - Boone, Hamilton (St N. to Rte Ind 32 incl. Noblesville) Hancock (S. W. Corner N to but not including Wilkinson and E. to but not including Fortville), Hendricks, Johnson, Marion and Morgan (St) Cos.  
 Area 13 - Hamilton, Hancock (Remainder of Co.), Henry, Madison & Tipton Counties  
 Area 14 - Benton (E. 2/3), Carroll, Cass, Clinton, Fountain (St), Howard, Miami, Montgomery, Tippecanoe, Warren (NE 1/3) & White Counties  
 Area 15 - Remainder of Benton, Fountain & Warren Counties  
 Area 16 - Fulton, Marshall and Pulaski (St) Counties  
 Area 17 - Jasper (N.E. portion W. to but not including Westfield), Pulaski (N. & Starke Counties  
 Area 18 - Jasper (St) and Newton Counties

DECISION NO. IN83-2031

## AREA DESCRIPTION (CONT'D)

## PAINTERS (CONT'D)

Area 3 - Elkhart, Fulton, Kosciusko, & Marshall Counties  
 Area 4 - Pulaski & Starke Counties  
 Area 5 - Jasper, Newton & White Counties  
 Area 6 - Benton, Carroll, Cass, Clinton, Fountain, Montgomery, Tippecanoe & Warren Counties  
 Area 7 - Parke & Vermillion Counties  
 Area 8 - Boone, Clay, Hamilton, Hancock, Hendricks, Johnson, Lawrence, Marion, Martin, Morgan, Orange, Putnam & Shelby Cos.  
 Area 9 - Brown, Monroe & Owen Counties  
 Area 10 - Green, Sullivan & Vigo Counties  
 Area 11 - Bartholomew, Decatur, Jackson & Jennings Counties  
 Area 12 - Dearborn, Ohio, Ripley & Switzerland Counties  
 Area 13 - Clark, Crawford, Floyd, Harrison, Jefferson, Scott & Washington Counties  
 Area 14 - Daviess, Dubois, Gibson, Knox, Perry, Pike, Posey, Spencer, Vanderburgh & Warrick Counties

POWER EQUIPMENT OPERATORS

Area 1 - Jasper, Newton, Pulaski, & Starke Counties  
 Area 2 - Elkhart, Fulton, Kosciusko, Lagrange, Marshall & Noble Counties  
 Area 3 - Adams, Allen, Benton, Blackford, Carroll, Cass, Clinton, Dekalb, Delaware, Fayette, Grant, Hamilton, Hancock, Henry, Howard, Huntington, Jay, Johnson, Madison, Marion, Miami, Randolph, Rush, Shelby, Steuben, Tippecanoe, Tipton, Union, Wabash, Wayne, Wells, White, & Whitley Counties  
 Area 4 - Boone, Clay, Daviess, Fountain, Greene, Hendricks, Knox, Monroe & Warren Counties  
 Area 5 - Bartholomew, Brown, Clark, Crawford, Dearborn, Decatur, Dubois, Floyd, Franklin, Gibson, Harrison, Jackson, Jefferson, Jennings, Lawrence, Martin, Ohio, Orange, Perry, Pike, Posey, Ripley, Scott, Spencer, Switzerland, Vanderburgh, Warrick, & Washington Counties

## LINE CONSTRUCTION

Area 1 - Clark, Floyd, Harrison, Jackson, Jefferson, Scott & Washington Counties  
 Area 2 - Crawford, Dubois, Gibson, Perry, Pike, Posey, Spencer, Vanderburgh & Warrick Counties  
 Area 3 - Newton County  
 Area 4 - Remainder of Counties

DECISION NO. IN82-2031

## AREA DESCRIPTION (CONT'D)

## IRONWORKERS

Area 1 - Adams, Allen, Blackford, Dekalb, Delaware (North-eastern 1/3 of Co.), Grant (excluding S/W portion), Huntington, Jay, Kosciusko (SW portion incl. Warsaw), Lagrange (Eastern 1/2 of Co.), Noble, Randolph (N. part of Co. excluding Union City but including Winchester), Steuben, Wabash, Wells & Whitley Counties  
 Area 2 - Elkhart, Fulton, Kosciusko (Rem. of Co.), Lagrange (Western 1/2 of Co.), Marshall, Pulaski & Starke Counties  
 Area 3 - Jasper (Northern 1/2 of Co.), & Newton Counties  
 Area 4 - Clark, Crawford, Floyd, Harrison, Jackson (Southern 1/2 of Co.), Jefferson, Jennings (Southern 1/2 of Co.), Lawrence (Southern 2/3 of Co.), Martin (Eastern 1/2 of Co.), Orange, Scott & Washington Counties  
 Area 5 - Marion County  
 Area 6 - Bartholomew, Boone (Southeastern 1/2 of Co.), Brown, Clinton (Eastern 1/3 of Co.), Decatur (Western 1/2 of Co.), Delaware (southern 2/3 of Co.), Fayette (Western 1/2 of Co.), Franklin (NW tip of Co.), Grant (SW portion), Hamilton, Hancock, Hendricks, Henry, Howard, Jackson (Northern 1/2 of Co.), Jennings (Northern 1/2 of Co.), Johnson, Lawrence (Northeastern 1/6 of Co.), Madison, Monroe, Morgan, Owen, Putnam (Eastern 1/2 of Co.; excluding Greencastle), Rush, Shelby, & Tipton Counties  
 Area 7 - Benton, Boone (Northwestern 1/2 of Co.), Carroll, Cass, Clinton (Western 2/3 of Co.), Fountain, Jasper (Southern 1/2 of Co.), Miami, Montgomery, Tippecanoe, Warren, & White Counties  
 Area 8 - Fayette (Eastern 1/2 of Co.), Randolph (Rem. of Co.), Union (N. 2/3 of Co.), & Wayne Counties  
 Area 9 - Clay, Daviess, Greene, Knox, Lawrence (Northwestern 1/6 of Co.), Parke, Putnam (Western 1/2 of Co., including Greencastle), Sullivan, Vermillion & Vigo Counties  
 Area 10 - Dearborn, Decatur (Eastern 1/2 of Co.), Franklin (Remainder of Co.), Ohio, Ripley, Switzerland, & Union (Southern 1/3) Cos.

## PAINTERS:

Area 1 - Adams, Allen, Dekalb, Grant, Huntington, Lagrange, Noble, Steuben, Wabash, Wells & Whitley Counties  
 Area 2 - Blackford, Delaware, Fayette, Franklin, Henry, Howard, Jay, Madison, Miami, Randolph, Rush, Tipton, Union & Wayne Counties

## CLASSIFICATION DEFINITIONS

## LABORERS

Group 1 - Construction Laborer, Carpenter Tender, Fence Erector, Grade Checker, Guard Rail Erector, Continuous Steel Rod or Wire Installer, Wire Mesh Layer, Joint Man (Mortar, Mastic, and all other types), Lighting Installer (Permanent or Temporary), Lineman for Automatic Grade Maker on Paving Machines, Mortar Man, Multi-Plate Erector, Rip-Rap Installer (All products and materials), Road Marking and Delineation Laborer, Setting and Placing of all Precast Concrete Products, Sign Installation including supporting structure, Spraying of all Epoxy, Curing Compound, or like material

Group 2 - Air Tool, Power Tool, and Power Equipment Operator, Asphalt Lute Man, Asphalt Raker Man, Batch Truck Dumper, Bridge Hand Rail Erector, Handler (Bulk or Bag Cement), Chain Saw Man, Concrete Puddler, Concrete Rubber, Concrete Saw Operator, Core Drill Operator, Eye Level, Hand Blade Operator, Hydro Seeder Man, Motor Driven Georgia Buggy Operator, Power Driven Compactor or Tamping Operator, Power Saw Operator, Pumpcrete Assembly Man, spread Man or screw Man on Asphalt Pavet, Rebar Installer, Sand Blaster Man, Sealer applicator for asphalt, (toxic), Setting and Placing Prestressed on Precast Concrete Structural Members, Side Rail Setter (for Sidewalks, Side Ditches, Radial, and Pavements), Spreader Box Tender (Manual or Power Driven), Straw Blower Man, Subsurface Drain and Culvert Pipe Layer, transverse and longitudinal Hand Bull Float Man

Group 3 - Horizontal Boring and Jacking Man, Jackman and Sheetman, Pipe Grade Man, Winch and Windlass Operator

Group 4 - Conduit Installer, Cutting Torch Burner, Laser Beam, Aligner, Manhole Erector, Sewer Pipe Layer, Water Line Installer - Temporary or Permanent, Welders (Electric or Oxy-Acetylene)

Group 5 - Air Track and Wagon Drillman, Concrete Finisher, Dynamite and Powder Man, General Laborer Leadman

## POWER EQUIPMENT OPERATORS

## AREA 1

Group 1 - Air Compressor in Manifold with throttle valve, Asphalt Plant Engineer, Auto Grade or similar type machine, Auto Patrol, Backhoe - All, Ballast Regulator (R.R.), Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Bulldozer, Caisson Drilling Machine, Cherry Picker - all, Chip Spreader - Self-propelled, Cold Grinder or similar type equipment, Concrete Mixer - 21 cu. ft. or over, Concrete Pump - Truck mounted, Core Drilling Machine, crane or Derrick with any attachment (including Clamshell Dragline, Shovel, Backhoe, etc.), Dredge Operator, Drilling Machine on which the drill is an integral part, Earth Mover - rubber tires - (paddle wheel 619 631, TS-24, or similar type), Earth Mover - rubber - tired (tandem 50c per hour additional), Elevating Grader, Endloader - hillift, Shovel, P.C.C. Formless Paver, Gradall, Gravel Processing Plant-portable,

## CLASSIFICATION DEFINITIONS (CONT'D)

## POWER EQUIPMENT OPERATORS AREA 1 (CONT'D)

Guardrail Post Driver Operator, Head Greaser, Hillift Shovel-Endloader, Hoist (2 drums and over), Helicopter - Crew, Hydraulic Boom Truck, Keystone (Skimmer Scoop), Loader - Self-propelled (belt-chain wheel), Locomotive Operator, Mechanic, Mucking Machine, Multi-bank Drill Operator, Panel Board Concrete Plant - central, mix type, Paver - Hetherington, Pile Driver-skid or crawler, Road Paving Mixer, Rock Breaking Plant, Rock Crushing Plant-portable, Roller (Asphalt, Waterbound, Macadam, Bituminous Macadam, Brick Surface), Roller - with dozer blade, Root Rake - Tractor mounted, Stump Remover-tractor mounted, Surface Heater and Planer, Tandem Push Tractor - 50c per hour additional, Tractor - boom winch or Hoe head, Tractor - Push, tractor with scoop, Tractor Mounted Spreader, Trase Mover, Trench Machine (over 24"), Tug Boat Operator, Walder, Wall Drilling Machine

Group 2 - Air Compressor with throttle valve or Clever Brooks type comb., Backfiller, Base Paver - Jersey or similar type machine, Bull Float, Concrete Finishing Machine, Concrete Mesh Depressor - Independently Operated, Concrete Spreader - Power Driven, Dredge Engineer, Excavator loader-portable, Fireman - on Boiler, Fork-lift - regardless of ton, Hoists - 1- drum, Meesh or Steel Placer, Minor Equipment Operator - 5 pieces, Multiple Tamping Machine (R.R.), P.C.C. Concrete Placer, Paving Breaker, Power Broom-Self-propelled, Pull Grader-Power Controlled, Refrigerating Machine- freezing Operation, Roller - earth and sub-base material, Ross Carrier (straddle buggy), Sheepfoot Roller-self-propelled without blade, Taper - Multiple Vibrating Asphalt Waterbound Macadam, Bituminous Macadam, Brick Surface) Taper-Multiple Vibrating (Earth and Sub-Base Material), Trench Machine-24" and under, Tube Float, Well Point-System, Widener - Aspc or similar type, Winch Truck with A Frame

Group 3 - Air Compressor, Assistant to Engineer - Oilier, Assistant Plant Engineer, Automatic Dry Batch Plant, Bituminous Distributor, Bituminous Patching Taper, Belt Spreader, Broom and Belt Machine, Brush Burner, Chair Cart - Self-propelled, Coleman Type Screen, Cold Grunder Oilier, Concrete Mixer - less than 21 cu. ft., Conveyor-Portable, Curb Machine, Deckhand, Digger (Post Hole, power driven), Farm Tractor - inc. farm tractor with all attachments (except backhoe, Hillift Endloaders), Form Grader, Form Taper-Motor Driven, Generator, Gunite Machine, Hetherington Driver, Hetherington Helper, Hydra Seeder, Mechanic's Helper, Mechanical Heater, Minor Equipment Operator-1 thru 4 pieces, Outboard or Inboard Motor Boat, Power Curing Spraying Machine, Power Saw - Concrete (Power Driven), Pug Mill Pull Broom-Power type, Seaman Tiller, Slurry Seal Machine, Spike Machine, Straw Blower or Brush Mulcher, Striping Machine (Paint, Motor Driven), Sub Grader, Trottle Valve, Tractaire with Drill, Truck Crane and Multi-Drill Oilier-Driver, Spreader, Water Pump

## CLASSIFICATION DEFINITIONS (CONT'D)

## POWER EQUIPMENT OPERATORS AREAS 2 and 3 (CONT'D)

## POWER EQUIPMENT OPERATORS - AREAS 2 and 3

Group 1 - Air Compressors in Manifold with throttle valve, Asphalt Plant Engineer, Auto Grade or similar type machine, Auto Patrol, Backhoe on Farm Type Tractor 45 H.P. & over, Ballast Regulator (R.R.), Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Bull Dozer, Caisson Drilling Machine, Cherry Picker - 15 ton or over, Chip Spreader, Concrete Mixer 21 cu. ft. or over, Core Drilling Machine, Crane or Derrick with any Attachment (incl. Clamshell, Dragline, Shovel, Backhoe, etc.), Dredge Engineer, Dredge Operator, Drilling Machine on which the drill is an integral part, Earth Mover-rubber tired-tandem (50 cents per hr. add'l. type), Earth Mover-rubber tired-tandem (50 cents per hr. add'l. for each bowl), Elevating Grader, Fork Lift (10 tons or over), P.C.C. Formless Paver, Grapple, Gravel Processing Plant (portable), Operator of Guard Rail Post Driver, Helicopter-Crew, Hydraulic boom truck, over, Hoist (2 drums and over), Helicopter-Crew, Hydraulic boom truck, over, Hoist (2 drums and over), Loader-Self-propelled (Belt-Chain-Wheel), Locomotive Operator, Mechanic, Mucking Machine, Panel board Concrete Plant (central mix type), Paver - Hetherington, Pile Driver-Skid or Crawler, Road Paving Mixer, Rock Breaking Plant, Rock Crushing Plant (portable), Roller (Asphalt, Waterbound Macadam, Bituminous Macadam, Brick Surface), Roller Ditch dozer Blade, Root Rake-tractor Mounted, Self-propelled Widener, Stump Remover-tractor Mounted, Surface Heater & Planer, Tandem Push Tractor (50 cents per hr. additional), Tractor Boom, winch or Hoe Head Tractor - Push, tractor with Scoop, Tractor Mounted Spreader, Tree Mover, Trench Machine (over 24"), Tug Boat Operator, Well Drilling Machine, Winch Truck with A Frame

Group 2 - Air compressor with Throttle Valve or Clever Brooks type Comb.; Backfiller, Backhoe on Farm Type Tractor under 45 H.P.; Bull Float, Cherry Picker under 15 ton, Chip Spreader (self-propelled), Concrete Pump, Concrete Mesh Depressor-Independently operated, Concrete Spreader - Power Driven, End Loader under 14 cu. yd., Excavating Loader - Portable, Finishing Machine and Bull Float, Gunite Machine, Head Greaser, Mesh or Steel Placer, Multiple Tamping Machine (R.R.), P.C.C. Concrete Belt Placer, Bull Grader - Power Control, Refrigerating Machine - Freezing operation, Ross Carrier, Sheepfoot Roller (self-propelled), Trench Machine (Multiple Vibrating - Asphalt, Waterbound Macadam, Bituminous Macadam, Brick Surface), Trench Machine 24" and under, Tube Float, Welder

Group 3 - Assistant Plant Engineer, Base Paver (Jersey or similar type machine), Concrete Finishing Machine, Concrete Mixer - less than 21 cu. ft., Curb Machine, Farm Tractor (incl. Farm Tractor with all

## CLASSIFICATION DEFINITIONS (CONT'D)

## POWER EQUIPMENT OPERATORS AREAS 2 and 3 (CONT'D)

attachments except backhoe and incl. high lift end loaders of 1 cu. yd. capacity or less), Fireman (on boiler), Hoist (one drum), Operator-5 pieces of minor equip., Paving Breaker, Power Broom-Self-propelled, Roller (Earth & Sub-base material), Slurry Seal Machine, Spike Machine (R.R.), Tamper (Multiple Vibrating - Earth and Sub-base material), Throttle Valve, Throttle Valve and Fireman combination on horizontal or upright boiler, Tractaile with Drill, Tractor - 50 H.P. or over, Well Point System, Widener (Apsco or similar type)

Group 4 - Air Compressor, Assistant to Engineer - Oilier, Automatic Dry Batch Plant, Bituminous Patching Tamper, Belt Spreader, Broom & Belt Machine, Chair Cart (Self-propelled), Coleman Type Screen, Conveyor (portable), Deck Hand, Digger Post Hole (Power-Driven), Fork Lift - under 10 ton, Form Grader, Form Tamper (Motor-driven), Generator, Greaser Helper, Hetherington Driver, Hetherington Helper, Hydra Seeder, Mechanics Helper, Mechanical Heater, Operator-1 thru 4 pcs. of minor equip., Outboard or Inboard Motor Boat, Power Curing Spraying Machine, Power Saw, Concrete (power driven), Pug Mill, Pull Broom (Power Type), Seaman Tillet, Straw Blower or Brush Mulcher, Stripping Machine-Paint (Motor-driven) Sub Grader, tractaile, Tractor (below 50 H.P.), Truck Crane Oiler - Driver, Spreader, Water Pump, Welding Machine - 2 of 300 amps or over

## AREA 4

Group 1 - Air Compressors (2), Compressors hooked in Manifold, Asphalt Plant Engineer, auto grade and/or C.M.I. or similar type Machine, Auto Patrol, Motor Patrol, Power Blade, Apsco Paver, Asphalt Planer, Asphalt Rollers, Asphalt Paver Operator, Milling Machine, Self-propelled Widener, Backhoe and/or Pavement Breaker Attachment, Self-propelled Pavement Breaker, Ballast Regulator (R.R.), Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Bulldozer, One Drum Hoist with Tower or Boom, Cableways, Tower Machines, Backfiller, Boom Tractor, Boom or Winch Truck, Winch or Hydraulic Boom Truck, Boring Machine, Boiler Operator, Bruich Mulcher, Bull Float, Finishing Machine, Power Cranes, Overhead Cranes, Truck Cranes, Piledriver, Skid or Crawler, Guard Rail Post Driver, Tower Cranes, Hydro Crane, Cherry Picker, Draglines, Derricks, Shovels, Ciam, Gradalls, Two Drum Machine, Concrete Mixers with Skip, Tournamixer, Concrete Pump (Truck or skid Mounted), Concrete Plant Engineer, Soil Cement Machine, Formless Paver, Concrete Spreader, resco Concrete Saw, Chip Spreader, Mesh Placer, Dredging Equipment or Dredge Engineer or Dredge Operator, Tug Boat Operator, Marine Scoops, Ditching Machine with dual Attachment, Standard or Dinkey Locomotives, Drilling Machine including Well Testing, Cissons, Shaft or any similar type Drilling Machines (Well Point Systems), Mud Cat, Mucking Machine, Sull-Air, Mechanics, Welder, Head Equipment Greaser, Tournapull, Tractor Operating Scoops, Push tractors, Large Rollers

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## POWER EQUIPMENT OPERATORS AREA 4 (CONT'D)

on Earth, Loaders (track or rubber mounted), or similar type Machine, Lull, Tournadozer, Scoopmobiles, Elevating Machines, Power Sub Grader, Hydra Ax, Farm Tractor with Attachments, Seaman Tiller, Tree Mover, Stump Remover, Root Rake, Hydra Seeder, Straw Blower, Refrigerating Machine, freezing Operator, Chair Cart - Self propelled, Helicopter Crew (3), Ross Carrier or Straddle Buggy or similar Machine, Rock Crusher Plant, Gravel Processing Machine, Pipe Cleaning Machine, Pipe Wrapping Machine, Pipe Bending Machine, Pug Mill, Concrete Bump Grinder Machine, Power Curing Spray Machine, Group 2 - Air Compressor 800 cu. ft. and under, Air Tugger, Air Valves or Steam Valves, Assistant Plant Engineer, Asphalt Plant Fireman, Bulk Cement Plant Equipment Greaser, Concrete Mixers without Skips, Curbing Machine, Concrete Saw (Self Propelled), Concrete and Blacktop Curb Machine, Conveyors, Cement Blimps, Ditching Machine under 6", Distributor Operator on Trucks, Deck Hands, Elevators when used for hoisting material, Engine Tenders, Fork Lift, Farm Tractor, Fireman, Fireman on Paint or Dope Pots, Form Taper, Form Grader, Flex Plane, Generators (two to four), or Welding Machines or Water Pumps, within 400 feet, Gunite Machine, Greaser Helper, Machine Mounted Post Hole Digger, Mud Jack, One Drum Machines without Tower or Boom One Water Pump, Oilers, One Welding Machine, Onboard or Inboard Motor boat, Power Broom (Self propelled), Pull Broom (Power type), Syphons and Pulsometer, Switchman, Striping and or Painting Machine (Motor driven), Slurry Seal Machine, Track Jack, Temporary Heat, Throttle Valve, Tubo Float, Tractaire, Wagon Drill, Multiple Tamping Machine (R.R.), Spike Machine (R.R.), Mechanical Heaters, Brush Burner

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## POWER EQUIPMENT OPERATORS (CONT'D)

## AREA 5

Group 1 - Auto Patrol - Maintainer, Automatic Dry Batch Plant, Automated Concrete Placer, Automated Sub-Grader, Automated Slip Form Paver, Automated Finish Machine, Combination Backhoe-Front Endloader Machine (4 cu. yd. Backhoe Bucket or over or with attachments), Combination Backhoe (1 cu. yd. backhoe bucket or over or with attachments), Ballast Regulator (R.R.), Belt Loader - Stationary, Boring Machine (road), Bulldozer, Concrete Mixer - 27 cu. ft. or over, Concrete Pump, Concrete Pump Truck Mounted, Concrete Breaker Truck Mounted, Concrete Breaker Self-Propelled, Core Drilling Machine, Cranes and Backhoes-all Attachments, Cranes-Hammerhead, Creter Crane, Derricks, Derricks Traveling, Dredge Engineer, Dredge Operator, Formless Curb and Gutter Machine 36 inches and over, Formless Curb and Gutter Machine under 36 inches, gradall and Machines of a like nature, Guard Rail Post Driver Truck mounted, Lead Greaser, Helicopters, Highlift Shovel 3 yds. and over, Hoist 1 Drum, Hoist 2 & 3 Drum, Hydraulic Power Units, grouting, Pile Driving, and excavating, Locomotive Operator, Mechanic - Welder, Mucking Machine, Panelboard Concrete Plant (Central Mix Type), Paver - Motherington, Pile Driver Skid or Crawler, Road Paving Mixer, Rock Drill Crawler or Skid Rig, Rock Drill Truck Mounted, Ross Carrier, Roto Mill Grinder 36" and over, Roto Mill Grinder less than 36", Throttle Valve and Fireman Combination on Horizontal or Upright Boiler, Tournaul or similar type equipment, Tractor - boom, Tractor Drawn Bolt Loader, Tractor Drawn Belt Loader with attached puncher Trench Machine, Tug Boat Operator, Wheel Excavator, Winch Truck with "A" Frame, Scoops, Tournapulls or similar types machines in tandem (Add \$1.00 to Class 1 hourly rate for each machine attached thereto)

Group 2 - Combination Backhoe Front Endloader Machine with less than 4 cu. yd. backhoe bucket or with att., Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Bridge Deck Finisher, Concrete Mixer, less than 27 cu. ft. Greaser, Highlift Shovel under 3 cu. yds., Jersey Spreader or Base Greaser, Pavement Bump Grindox (Self-Propelled), Roller Asphalt (Waterbound, Macadam, Bituminous Macadam, Brick Surface), Sheepfoot Roller (Self-Propelled) with Blade, Surface Heater and Planer, Taper (Multiple Vibrating, Asphalt Waterbound Macadam, Bituminous Macadam, Brick Surface), Tractor - Push, Tractor with Scoop, Widener - Appco or similar type

Group 3 - Assistant Plant Engineer, Back Filler, Bituminous Distributor, Broom and Belt Machine, Bull Float, Concrete Finishing Machine Concrete Spreader-Power Driver, Digger-Post-Hole- Power Driven, Finishing Machine and Bull Float, Forklift, Form Grader, Form Taper-Motor Driven, Multiple Tamping Machine, Paving Breaker, Roller-Earth & Subbase Material, Roller Sheepfoot (Self-Propelled), Sub-grader, Taper-Multiple Vibrating-Earth and Subbase Material, Tractaire,

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## POWER EQUIPMENT OPERATORS - UNDERGROUND, SEWER &amp; WATER CONSTRUCTION

## AREA 1 (CONT'D)

Winches-4 Electric Drill Winches

Group 4 - Heaters-Mechanical (1 to 5), Oilers, Switchmen

## AREA 3

Group 1 - Air compressor (pressurizing shafts, tunnels & divers), Air Tugger, Auto Patrol, Back Piller, Backhoe, Boom Cat, Boring Machine, Bull Dozer, Caisson Drilling Machine, Cherry Picker, Compactor (with dozer blade), Concrete Mixer (dual drum), Concrete Plant, Concrete Pump, Crane with all attachments, Crane-Electric Overhead, Derrick, Dual purpose truck (Pitman type), Ditching Machine (18" and over), Dredge, Elevators (when hoisting materials or tools), Fork Lift, Formless Paver, Generator (power for welders or compressors), Grapple, Helicopter, Helicopter Winch Operator, High Lift-Front End Loader, Hoist Backhoe, Locomotive and/or Dinky Engine, Mechanic on Job site, Mucking Machine, Panel Board Concrete Plant, Pile Driver, Push Cat, Scoop & Tractor, Scraper - Rubber Tired, Spreader - Tractor Mounted, Straddle Carrier - Ross Type, Sub Base Finish Machine (C.M.I. or similar), Tower Crane, Tractor with backhoe (4 yd. and over), Trench Box-power Drive, Tunnel shield, Welder (Craft)

Group 2 - A-Frame Truck, Batch Plant (automatic dry batch), Bending Machine-Power Driven, Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Boatman, Bull Float, Compactor or Tamper-Self Propelled, Concrete Mixer (21 cu. ft. or over), Concrete Spreader-Power Driven, Ditching Machines (less than 18"), Drilling Machine, Finish Machine & Bull Float, Finishing Machine, Firemen - Pile Driving and Boilers, Gunite Machine, Head Greaser, Mechanic, Mesh Depresser, Mesh Placer, P.C.C. Concrete Belt Placer, Roller (asphalt, Stone & Sub Base), Rotary Drill, Sheepfoot Roller-Self Propelled, Sub Grader, Throttle Valve with Air Compressor or Boiler, Tractor with Backhoe (under 4 yd.), Tractor-High Lift-Farm Type, Tractor-Industrial Type, Tractor with winch, Well Points, Winch Truck

Group 3 - Air Compressor (210 cu. ft. & over), Bituminous Distributor, Chair Cart, Concrete Curing Machine, Concrete Saw, Dope Pot-Power Agitated, Flex Plane, Form Grader, Hydrohammer, Jack-Hydraulic-Power Driven, Minor Equipment Opr. 2, 3, 4 or 5, Paving Joint Machine, Post Hole Digger, Roller - Earth, Throttle Valve, Track Jack-Power Driven, Tractor-Farm Type, Truck Crane Driver

Group 4 - Air Compressor (less than 210 cu. ft.), Concrete Mixer (under 21 cu. ft.), Conveyor, Generator, Mechanical Heater, Oiler, Power Broom, Pump, Welding Machine

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## POWER EQUIPMENT OPERATORS AREA 5 (CONT'D)

Tractaire with Drill, Tractor with all drawn attachments except backhoe and including highlift, Endloader of 1 cu. yd. capacity and less

Group 4 - Air Compressor, Conveyor - All, Fireman on Boiler, Generator, Assistant Mechanic, Power Curing Spraying Machine Self-Propelled, Broom - Self-Propelled, Seaman Tiller, Spike Machine (R.R.), Stripping Machine - Paint - Self-Propelled, Throttle Valve, Welding Machine, Well Points System

GROUP 5 - Assistant Greaser, Deck Hand, Hetherington Driver, Mechanical Heater (1 to 5), Outboard or Inboard Motor Boat, Oiler, Power Saw - Concrete - Power driven, Truck Crane Oiler-Driver, Water Pump, Helper on C.M.I. and similar type equipment, Grascutters

## POWER EQUIPMENT OPERATORS - UNDERGROUND, SEWER &amp; WATER CONSTRUCTION

## AREA 1

Group 1 - Mechanic, Asphalt Plant, Autograde, Batch Plant, Benoto (requires 2 Engineers), Boiler and Throttle Valve, Boring Machine (Mining Machine), Caisson Rigs, Central Redi-Mix Plant, Combination Backhoe-Endloader with Backhoe Bucket over 4 cu. yd., Combination Tugger Hoist & Air Compressor, Compressor and Throttle, Concrete Breaker (Truck Mounted), Concrete Conveyor, Concrete Paver over 278 cu. ft., Concrete Paver 27E cu. ft. & under, Concrete Pump with Boom (Truck Mounted), Concrete Tower, Cranes-All, Cranes-Hammerhead Tower, Cretor Cranes, Derricks - All, Derricks-Travelling, Forklift-Lull Type, Forklift-10 ton & over, Hoists-1, 2, & 3 drum, Hoist-2 Tugger one floor, Hydraulic Boom Truck, Locomotives-All, Motor Patrol, Mucking Machine, Pile Driving & Skid Rig, Pit Machines, Pre-Stress Machines, Pump Cretes & Similar Types, Rock Drill (Self propelled), Rock Drill (Truck Mounted), Slip-Form Paver, Straddle Buggies, Tractor with Boom & Side Boom, Trenching Machine, Winch Tractors, Group 2 - Asphalt Spreader, Boilers, Bulldozers, Combination, Backhoe - Endloader with Backhoe Bucket 4 cu. yd. & under, Engineer acting as conductor in charge of crew, Grader-Elevating, Greaser Engineer, Grouting Machines, Highlift Shovels or Front Endloader, Hoists-Automatic, Corboy Drillings Machines, Hoists-All Elevators, Hoists-Tugger single drum, Post Hole digger, Roller-All, Scoops- Tractor Drawn, Stone Crushers, Tournapull, Winch Trucks

Group 3 - Concrete Mixer (2 Bag & Over), Conveyor-Portable, Steam Generators, Tractor-Farm & Similar Type, Air Compressor - Small 150 and under (1 to 5 not to exceed a total of 300 feet), Air Compressor - large over 150, Combination - small equipment operator, Forklift - under 10 ton, Generator, Pumps (1 to 3 not to exceed a total of 325 feet), Pumps-Well Points, Welding Machines (2 thru 5),



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## POWER EQUIPMENT OPERATORS - UNDERGROUND, SEWER &amp; WATER CONSTRUCTION

## AREA 5

Group 1 - A-Frame Winch Truck, Air Compressor 900 cu. ft. and over, Air Tugger, Autograde (CMI), Auto Patrol, Backhoe, Ballast Regulator (RR), Batcher Plant (electrical control concrete), Bending Machine (pipe), Bituminous Plant (engr.), Bituminous Plant, Bituminous Mixer Travel Plant, Bituminous Paver, Bituminous Roller, Buck Hoist, Bull Dozer, Cable Way, Chicago Boom, Chlamshell, Concrete mixer (21. cu. ft. or over), Concrete Paver, Concrete Pump (crate), Crane, Crane-man, Crusher Plant, Derrick Boat, Dickey, Dope Pots (pipe-line), Dragline, Dredge Operator, Dredge Engineer, Drill Operator, Elevator Grader, Elevator, Ford Hoe (or similar type equipment), Forklift, Formless Paver, Gantry Crane, Gradall, Gradenman, Grout Pump, Helicopter Crew, Hetherington Paver, Highlift, Hoist, Loco-Bo, Loader (or similar type), Hydro Crane, Hyro Hammer, Locomotive Crane, Locomotive, Mobile Mixer, Motor Crane, Mucking Machine, Multiple Tamping Machine (RR), Overhead Crane, Pile Driver, Pulls, Push Dozer, Push Boats, Roller (Sheep foot), Ross Carrier, Scoop, Shovel Side Boom, Swing Crane, Tail Boom, Tar Machine (pipeline), Throttle Valve, Tower Crane, Trench Machine, Welder (heavy duty), Truck mounted Concrete Pump, Truck-mounted Drill, Well Point, Whirlies

Group 2 - Air Compressor (up to 900 cu. ft.), brakeman, Bull Float, Concrete Mixer (over 105 and under 215), Concrete Spreader or Puddler, Deck Engine, Electric Vibrator Compactor (earth or rock), Finishing Machine, Fireman, Greaser (on grease facilities servicing heavy equipment), Material Pump, Motor Boats, Portable Loader, Post Hole Digger, Power Broom, Rock Roller, Roller-wobble wheel (earth and rock), Spike Machine (RR), Seaman Tiller, Spreader Rock, Sub Grader, Tamping Machine, Welding Machine, Widener (Apasco or similar type)

Group 3 - Assistant Engineer, Bituminous Distributor, Cement Gun, Concrete Saw, Conveyor, Deckhand Oiler, Drill Helper, Earth Roller, Farm Grader, Generator, Guard Rail Drive, Heater, JLG lifts, Oiler, Paving Joint Machine, Power Traffic Signal, Scissor Lift or similar machine, Steam Jenny, Truck Crane Oiler, Vibrator, Water Pump

## TRUCK DRIVERS

Group 1 - Acey Wagons over 3 Buckets

Group 2 - Acey Wagons to and including 3 Buckets

Group 3 - Tandem-tandem Semi-Trucks; Truck Mechanics and Welders; Heavy Equipment Type Water Wagon over 5,000 gallons; tri-Axle Trucks pulling Tilt-Top Trailers; Low Boys, Tandem-tandem Axle

Group 4 - Tri-Axle Trucks; Tandem Axle Trucks; Equipment not self loaded or pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Hug Bottom Dump, Tournatrailers, Tournarockers, atthey Wagons, or similar equipment over 12 cu. yd.; Tandem Axle Trucks pulling Tilt-Top Trailers; Low Boys; Tandem Axle, Tri-Axle Batch

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## TRUCK DRIVERS (CONT'D)

Group 5 - Tandem "Dog-Legs"; Semi-Water Trucks; Sprinkler Trucks; Heavy Equipment Type Water Wagons 5,000 Gallons & Under

Group 6 - Truck Mounted Pavement Breakers; Tandem Trucks over 15 Ton Payload; Single Axle Semi-Trucks; Farm Tractors hauling material; equipment not self loaded or pusher loaded such as Koehring or similar Dumpster, track truck, Euclid Bottom Dump and Hug Bottom Dump, Tournatrailers, Tournarockers, atthey Wagons or similar Equipment 12 Cubic yds. & under; Mixer Trucks, All Types; Single Axle Trucks pulling Tilt-Top Trailer; Lowboys, Single Axle

Group 7 - Tandem Axle Fuel Trucks; Tandem Axle Water Trucks; Bituminous Distributor (one man)

Group 8 - Single Axle Dog-Legs; Tandem Trucks or Dog Legs; Winch Trucks or A Frames used for Transportation; Batch Trucks Wet or Dry over 3(34E) Batches-Grease and Maintenance Truck Servicing Tandem axle Trucks

Group 9 - Single Axle Fuel Trucks; Single Axle Water Trucks; Bituminous Distributors, (two man)

Group 10 - Single Axle Straight Trucks; Wet or Dry 3 (34E) Batches or less; Grease & Maintenance Trucks Servicing Single Axle Trucks

Group 11 - Tenders; Greasers; Tire Men; Batch Board Tenders

Group 12 - Pick-Up Trucks

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**Federal Register**

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**Friday  
April 22, 1983**

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**Part IV**

**Department of Labor**

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**Mine Safety and Health Administration**

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**Safety Standards for Loading, Hauling,  
Dumping; Proposed Rule**



**DEPARTMENT OF LABOR****Mine Safety and Health Administration****30 CFR Parts 55, 56, and 57****Safety Standards for Loading, Hauling, Dumping**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice of availability of preproposal draft.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) has developed a preproposal draft of revisions to current loading, hauling, and dumping standards for the metal and nonmetal mining industry. MSHA seeks comment from all interested parties on the preproposal draft. Copies of the draft may be obtained by contacting the Agency.

**DATE:** Comments must be received on or before June 21, 1983.

**ADDRESS:** Send comments to the Office of Standards, Regulations, and Variances, MSHA, Room 631, Ballston Towers #3, 4015 Wilson Boulevard, Arlington, Virginia 22203.

**FOR FURTHER INFORMATION CONTACT:** Patricia W. Silvey, Acting Director, Office of Standards, Regulations, and Variances, MSHA, (703) 235-1910.

**SUPPLEMENTARY INFORMATION:** On March 25, 1980, MSHA published an Advance Notice of Proposed Rulemaking (ANPRM) in the *Federal Register* (45 FR 19287) announcing its comprehensive review of existing metal and nonmetal mine safety and health

standards in 30 CFR Parts 55, 56, and 57. The Agency is reviewing the standards to eliminate duplicative and unnecessary standards, provide alternative methods of compliance, reduce recordkeeping requirements, and upgrade provisions consistent with advances in mining technology.

MSHA believes this review will result in more effective regulations for assuring the safety and health of miners. The review is consistent with the specific goals of Executive Order 12291, the Regulatory Flexibility Act, and the Paperwork Reduction Act.

On November 20, 1981, MSHA published a subsequent ANPRM in the *Federal Register* (46 FR 57253) listing eight sections the Agency had selected for priority review. Standards related to loading, hauling, and dumping were included in the priority group.

On March 9, 1982, (47 FR 10190), MSHA published a notice in the *Federal Register* announcing public conferences to discuss issues related to the standards under priority review. The Section .9 conferences were concluded in April 1982. During the conferences many commenters requested that the Agency make available a preproposal draft of the standards under review before issuing a proposed rule.

MSHA has now completed development of the preproposal draft for Section .9. In addition to revising the substance of the existing standards, the Agency has reorganized Parts 55, 56, and 57 into a single Part 58. This reorganization would eliminate the current repetition of identical standards in the Code of Federal Regulations. The

proposed revisions designate each standard as either "General" (G), applying to both surface and underground operations; or "Surface" (S), where the standard applies only to surface operations; or "Underground" (U), where standards are applicable only to underground situations. These designations ensure that the standards will apply only to the appropriate types of operations, thus eliminating unnecessary duplication. In addition, the standards in Section .9 have been reordered to provide more logical groupings and an index has been developed to enable ready reference between existing standard numbers and their new numerical designations.

The Agency requests comment on the substance of the preproposal standards, as well as on the reorganization of the standards. In addition, the Agency is interested in any economic data or other regulatory impact information commenters may wish to submit. A copy of the preproposal draft notice has been mailed to persons and organizations known to MSHA. A copy of the preproposal draft may be obtained by submitting a request to the address provided above. The draft document contains the Agency's recommended revisions, a comparison with existing provisions, and a summary explanation of the proposed changes.

Dated: April 19, 1983.

Thomas J. Shepich,

*Deputy Assistant Secretary for Mine Safety and Health.*

[FR Doc. 83-10749 Filed 4-21-83; 8:45 am]

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**Federal Register**

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**Friday  
April 22, 1983**

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**Part V**

**Department of Labor**

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**Mine Safety and Health Administration**

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**Training and Retraining of Miners;  
Extension of Comment Period; Proposed  
Rule**



**DEPARTMENT OF LABOR****Mine Safety and Health Administration****30 CFR Part 48****Training and Retraining of Miners;  
Extension of Comment Period**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice to extend period for public comment.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) is extending the period for public comment regarding the Agency's review of the the training regulations in 30 CFR Part 48. The comment period is extended to June 17, 1983.

**DATE:** Written comments must be received on or before June 17, 1983.

**ADDRESS:** All comments should be sent to: Mine Safety and Health Administration, Office of Standards, Regulations and Variances, Room 631, 4015 Wilson Boulevard, Arlington, Virginia 22203.

**FOR FURTHER INFORMATION CONTACT:** Patricia W. Silvey, Acting Director, Office of Standards, Regulations and Variances, MSHA, (703) 235-1910.

**SUPPLEMENTARY INFORMATION:** On March 18, 1983 (48 FR 11669), MSHA published an advance notice of proposed rulemaking inviting public participation in the early stages of the Agency's review of the training

regulations in 30 CFR Part 48. The advance notice that appeared on March 18, 1983, inadvertently scheduled March 17, 1983 as the deadline for receipt of comments. On March 22, 1983 (48 FR 11957), the date was corrected to be May 17, 1983. Due to requests from the public, MSHA is extending the comment period to June 17, 1983. All interested members of the mining community are encouraged to submit comments prior to that date.

Dated: April 19, 1983.

**Thomas J. Shepich,**

*Deputy Assistant Secretary for Mine Safety and Health.*

[FR Doc: 83-10748 Filed 4-21-83; 8:45 am]

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**FRIDAY  
APRIL 22, 1983**

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**Friday  
April 22, 1983**

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**Part VI**

**Department of  
Agriculture**

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**Agricultural Stabilization and  
Conservation Service**

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**Burley and Flue-Cured Tobaccos; Interim  
and Proposed Regulations**

## DEPARTMENT OF AGRICULTURE

## Agricultural Stabilization and Conservation Service

## 7 CFR Part 726

## Burley Tobacco Marketing Quota Regulations

**AGENCY:** Agricultural Stabilization and Conservation Service, USDA.

**ACTION:** Interim rule.

**SUMMARY:** The Agricultural Stabilization and Conservation Service is amending the regulations at 7 CFR Part 726 to implement the provisions of the No Net Cost Tobacco Program Act of 1982 (Pub. L. 97-218, 96 Stat. 197, approved July 20, 1982) with respect to the burley tobacco marketing quota program. The interim rule provides for restrictions with respect to the marketing of burley tobacco by producers, warehousemen and dealers.

**DATES:** Effective April 22, 1983. Comments must be received on or before June 21, 1983 in order to be assured of consideration.

**ADDRESS:** Send comments to the Director, Tobacco and Peanuts Division, ASCS, Department of Agriculture, P.O. Box 2415, Washington, D.C. 20013. All written submissions made pursuant to this notice will be made available for public inspection in Room 5750 South Building, USDA, between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Jack S. Forlines, Agricultural Program Specialist, Tobacco and Peanuts Division, USDA-ASCS, P.O. Box 2415, Washington, D.C. 20013. (202) 382-0200. The Final Regulatory Impact Analysis covering this interim rule will be available on request from Jack S. Forlines.

**SUPPLEMENTARY INFORMATION:** This interim rule has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Secretary's Memorandum 1512-1 and has been classified as "not major." It has been determined that this rule will not result in: (1) An annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local governments, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal Assistance Program to which this rule applies are: Commodity Loan and Purchases; 10.051, as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this interim rule since the Agricultural Stabilization and Conservation Service (ASCS) is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

This interim rule is necessary to implement the provisions of the No Net Cost Tobacco Program Act of 1982 (hereinafter referred to as the "Act"). The Act amends the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938 to provide for the operation of the tobacco price support and production adjustment program in such a manner as to result in "no net cost" to taxpayers, except for administrative expenses common to the operation of all price support programs. The Act makes other changes to strengthen the operation of the program. The major provisions of this interim rule are as follows:

(1) *Limitation on the sale of tobacco floor sweepings.* Effective for the 1982 and subsequent crops of burley tobacco, section 314A of the 1938 Act limits the allowable floor sweepings of burley tobacco which may be marketed by warehousemen without penalty to 0.24 percent times the total first sales of tobacco at auction for the season for the warehouse involved. Previously, this same limitation was set forth by regulation. However, section 314A also provides that the marketing of floor sweepings in excess of the allowable amount will result in a penalty of 150 percent of the average market price for burley tobacco for the immediately preceding marketing year.

(2) *Lien for payment of penalty.* The 1938 Act, as amended, provides for a statutory lien with respect to certain tobacco thus establishing a more efficient mechanism for collecting marketing penalties. If a marketing quota penalty is assessed, there shall be a lien in favor of the United States on the tobacco with respect to which the penalty is to be assessed and on any other tobacco subject to marketing quotas in which the person has an interest until the penalty is paid. Currently, penalties which are reduced to a claim in favor of the United States are deductible only from the proceeds of tobacco which is pledged as collateral for a price support loan.

(3) *Penalties for marketing certain tobacco that is ineligible for price*

*support.* Effective for any of the 1983 and subsequent crops of burley tobacco for which marketing quotas are in effect, producers shall be subject to a penalty with respect to any marketings of burley tobacco produced on a farm which is ineligible for price support because the farm operator or other producer on the farm has not agreed to contribute to the No Net Cost Tobacco Account. The penalty per pound will be equal to 75 percent of the preceding marketing year's average market price per pound for burley tobacco.

(4) *Warehouseman's records and reports.* This interim rule provides for minor changes in the burley tobacco regulations with respect to the records and reports of warehousemen. The most significant change is the requirement that a notation of "No Price Support" must be entered by the warehouseman on the basket ticket for each lot of tobacco which is identified with a marketing card bearing the same notation.

(5) *Dealer's records and reports.* This interim rule also provides for minor changes in the burley regulations with respect to the records and reports of dealers. The dealer shall make deductions for producer contributions to the No Net Cost Tobacco Account in accordance with the provisions of 7 CFR Part 1464. For the 1982-83 marketing year, the dealer shall deduct one cent per pound from the price paid to the producer in nonauction purchases, unless the purchase is identified with a marketing card bearing the notation "No Price Support." The amount of such deductions in subsequent marketing years will be announced by the Secretary.

(6) *Processing and storing 1982 crop carryover tobacco.* Because of generally favorable growing conditions, many burley tobacco producers have produced tobacco in excess of 110 percent of their effective quota. In the absence of a carryover program (i.e., a program whereby producers deliver their excess burley tobacco to a designated delivery point for processing and storage until the beginning of the next marketing year), many producers would be required to store the excess tobacco on their farms until the next marketing season. This interim rule authorizes the Burley Tobacco Growers Cooperative Association and the Burley Stabilization Corporation to process and store 1982 crop producer carryover tobacco and to act as the producer's marketing agent in marketing the tobacco in the 1983-84 marketing year. The handling of 1982 crop carryover tobacco is limited to the producer-owned and operated Burley

Tobacco Growers Cooperative Association and the Burley Stabilization Corporation to assure that the tobacco will be insulated from commercial trade channels and will not be marketed until the subsequent year.

(7) *Approval of transfers of quota by lease or sale.* This interim rule provides that if a claim for marketing quota penalty has been filed by ASCS against a lessor or seller, a lease or sale of quota by such lessor or seller will not be approved by the county committee until such time as the claim is satisfied or the proceeds from the lease or sale are applied against such claim.

Since producers, warehousemen, tobacco dealers and buying companies are currently involved in the purchase and sale of 1982 crop year burley tobacco, implementation of this rule must be made as soon as possible. Thus, it has been determined that this interim rule shall become effective upon publication in the *Federal Register* without prior opportunity for public comment. However, the public is invited to comment on this interim rule for a period of 60 days after the date of publication in the *Federal Register*. A final document discussing comments received and any amendments to this interim rule which may be deemed necessary will be published in the *Federal Register* as soon as possible.

#### List of Subjects in 7 CFR Part 726

Marketing quotas, Penalties,  
Reporting requirements, Tobacco.

#### Interim Rule

#### PART 726—[AMENDED]

Accordingly, 7 CFR Part 726 is amended as follows:

1. The table of contents is amended as follows:

Sec.	
726.55	Determination of farm yields.
726.68	Transfer of tobacco marketing quotas by lease, by sale, or by owner.
726.80	Identification of tobacco subject to quota.
726.91	Lien for penalty.
726.100	Duties of Kansas City ASCS Field Office.

2. The authority citation is revised to read as follows:

Authority: Sec. 301, 313, 314, 314A, 316B, 317, 372-375, 377, 378, 52 Stat. 38, as amended, 47, as amended, 48, as amended, 96 Stat. 210, 215, 75 Stat. 469, as amended, 79

Stat. 66, 52 Stat. 63, as amended, 65-66, as amended, 70 Stat. 206, 7 U.S.C. 1301, 1313, 1314, 1314-1, 1314b-2, 1314c, 1363, 1372-1375, 1377, 1378, Sec. 401, 63 Stat. 1054, as amended, 7 U.S.C. 1421.

3. In § 726.51, the introductory paragraph is revised; paragraphs (a-1), (a-2), and (ii-1) are added; and paragraphs (g), (k)(1), (m)(1), (o), (r), and (ff)(2) are revised to read as follows:

#### § 726.51 Definitions.

In determining the meaning of the provisions of this subpart, unless the context indicates otherwise, words importing the singular include and apply to several persons or things, words importing the plural include the singular, words importing the masculine gender include the feminine as well, and words used in the present tense include the future as well as the present. As used in this subpart and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires. References contained herein to other parts of this title or chapter shall include current and later amendments to the referenced parts. Unless defined in this section the words or phrases defined in § 719.2 of this chapter shall have the same meaning when used in this part.

(a-1) *Active burley tobacco producer.* Any person who intends to be a burley tobacco producer in the current year by sharing in the risk of producing the crop and who provides a certification of such intention on a form approved by the Deputy Administrator.

(a-2) *Allowable floor sweepings.* The quantity of floor sweeping determined by multiplying 0.0024 times the total producer first sales of burley tobacco at auction for the season for the warehouse involved.

(g) *Director.* The Director, or Acting Director, Tobacco and Peanuts Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(k) *False identification.* False identification occurs if:

(l) Tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on a farm when, in fact, it was produced on a different farm; or

(m) *Farm marketing quota.*—(1) *Old farm.* The pounds determined by multiplying the preliminary farm

marketing quota by the national factor and adjusting the result for any permanent quota adjustment.

(o) *Floor Sweepings.* The scraps or leaves of tobacco which accumulate on the warehouse floor in the regular course of business.

(r) *Leaf account tobacco.* The quantity of tobacco purchased or otherwise acquired by or for the account of a warehouse (except floor sweepings which accumulate on the warehouse floor), as adjusted by the debits and credits to the buyers corrections account, and including floor sweepings purchased from another warehouse or dealer.

(ff) \* \* \*

(2) *Permanent.* (i) Old farm adjustment from reserve, (ii) pounds of quota transferred to the farm from the eminent domain pool, (iii) pounds of quota transferred to or from the farm by sale, (iv) pounds of quota transferred to the farm from the forfeiture pool, or (v) pounds of forfeited quota.

(ii-1) *Shared in risk of production.* Involvement in the production of burley tobacco by a person who:

(1) Invests in the production of a crop of burley tobacco in an amount which is not less than 20 percent of the proceeds of the sale of the crop;

(2) Depends solely on a share of the proceeds from the marketing of the tobacco for the return on the investment;

(3) Waits until such crop of burley tobacco is marketed to receive any return on the investment; and

(4) Maintains records, for a period of three years after the end of the marketing year in which the tobacco is sold, which may be used to verify that the provisions of this paragraph have been met.

4. Section 726.55 is revised to read as follows:

#### § 726.55 Determination of farm yields.

(a) *Farm having a previously established farm yield.* The farm yield for a farm on which a farm yield has been established shall be the same in the current year as the farm yield previously established for the farm.

(b) *Farm not having a previously established farm yield.* As required, the county committee shall appraise a farm yield for any farm not having a previously established farm yield. The appraised yield shall be based on similar farms having a farm yield;

however, the appraised farm yield may not exceed 3,500 pounds.

5. In § 726.57, paragraph (a) is revised to read as follows:

**§ 726.57 Determining farm marketing quotas and effective farm marketing quotas.**

(a) *Farm marketing quotas.* The farm marketing quota shall be determined by multiplying the national factor as determined by the Secretary for the current year by the preliminary farm marketing quota for the current year and adjusting the result for permanent quota adjustments.

\* \* \* \* \*

6. Section 726.68 is revised to read as follows:

**§ 726.68 Transfer of tobacco marketing quotas by lease, by sale, or by the owner.**

(a) *General.* Effective with respect to the 1983 crop year and in accordance with the provisions of this section, a burley tobacco marketing quota (including any quota which has been pooled in accordance with the provisions of Part 719 of this chapter) may be transferred between farms within a county by sale or lease, or by the owner to another farm owned or operated by such owner. A sale of quota may be made only when required to prevent forfeiture of the quota in accordance with § 726.69. If the farm is subject to a lien, the consent of a lienholder is not required for either a transfer of the quota by sale or a one year transfer of the quota by lease or by the owner to be effective.

(b) *Sale.* If the transfer of a quota is by sale, the transfer shall be based on part or all of the farm poundage quota. The maximum quota that may be transferred is the farm poundage quota.

(c) *Lease or owner.* If the transfer of a quota is by lease or by the owner, transfer shall be based on a part or all of the effective farm poundage quota. The maximum quota that may be transferred is the effective farm poundage quota.

(d) *Transfer provisions.*—(1) *Accumulation of quota.* A transfer shall not be approved if the county committee determines that the primary purpose of the transfer is to accumulate the quota on the farm (i.e., alternately transferring to and from the farm for two or more years to maintain the quota without satisfactory evidence of plans for producing the quota on the receiving farm).

(2) *Subleasing.* In order to determine whether there is any subleasing of a quota, the current year is divided into two periods, the period before October 1 and the period on or after October 1.

The county committee shall not approve a transfer during either period if the effect would be both a transfer to and from the farm during the same period:

*Provided,* That a transfer may be approved within any such period if quota is transferred from a farm for one or more years and the farm subsequently is combined with another farm that otherwise is eligible to receive quota by lease or by the owner.

(3) *Transferring farm.* A transfer of quota from a farm by lease or by the owner shall not be approved:

(i) *Purchased and/or reallocated quota.* If the pounds of quota being transferred exceed the difference obtained by subtracting from the effective farm marketing quota the total pounds of quota purchased and/or reallocated from forfeited quota in the current and two preceding years, as adjusted to reflect changes in national quota factors which have occurred since each respective purchase and/or reallocation of quota.

(ii) *New farm.* If the farm is a new farm.

(iii) *Reduction pending.* If consideration of a marketing quota violation is pending which may result in a quota reduction for the farm for the current year. However, if the county committee determines that a decision will not be made on the pending case of or before the date specified in § 726.63, a one-year transfer will be approved if otherwise eligible.

(iv) *Filed on or after October 1.* If the transfer agreement is filed on or after October 1 unless:

(A) Any tobacco which may be produced on the farm is eligible for price support in accordance with the provisions of Part 1464 of this title, and

(B) The county committee determines that, in those cases in which quota was temporarily transferred to the farm by an agreement filed before October 1, the producer made reasonable and customary efforts to produce the entire effective farm marketing quota.

(v) *Consent of lienholder.* For a multiple year transfer, if the farm is subject to a lien, unless the lienholder agrees in writing to the transfer.

(vi) [Reserved]

(vii) *Claim for tobacco marketing quota penalty.* If a claim has been filed against the lessor for a tobacco marketing quota penalty and the claim remains unpaid: *Provided,* That this provision shall not apply if the claim is paid or the entire proceeds of the lease of the quota are applied against the claim and the county committee determines that the amount paid for the lease represents a reasonable price for the pounds of quota being leased.

(viii) *Forfeiture pending.* To the extent that forfeiture of such quota is expected to become final before July 1.

(4) *Receiving farm.* A transfer of quota to a farm by lease or by the owner shall not be approved:

(i) *Limitation.* If the pounds of quota being transferred plus the pounds of quota previously transferred to the farm by lease or by the owner exceed the smaller of 30,000 pounds or the difference between the farm marketing quota and one-half the result obtained by multiplying the acres of cropland on the farm by the farm yield.

(ii) *Filed on or after October 1.* If the transfer agreement is filed on or after October 1 and if the producers on the farm do not qualify for price support in accordance with the provisions of Part 1464 of this title.

(5) *Selling farm.* A transfer of quota from a farm by sale shall not be approved:

(i) *Forfeiture otherwise required.* Unless forfeiture of the quota otherwise would be required in accordance with § 726.69.

(ii) *Previous purchases and/or reallocated quota.* If the pounds of quota being transferred exceed the pounds of quota for which forfeiture otherwise is required in accordance with the provisions of § 726.69(c).

(iii) *Reduction pending.* If consideration of an indicated marketing quota violation is pending which may result in quota reduction for the farm for the current year. However, if the county committee determines that a decision will not be made on the pending case on or before the date specified in § 726.63, a transfer will be approved if otherwise eligible.

(iv) *Forfeiture pending.* If the agreement for transfer by sale is filed subsequent to the final date which is permitted for the sale of the quota in order to prevent forfeiture.

(v) *Claim for tobacco marketing quota penalty.* If a claim has been filed against the seller for a tobacco marketing quota penalty and the claim remains unpaid: *Provided,* That this provision shall not be applicable if the claim for such penalty is paid or the entire proceeds of the sale of the quota are applied against the claim and the county committee determines that the amount paid represents a reasonable selling price for the pounds of quota being sold.

(6) *Buying farm.* A transfer of quota to a farm by purchase shall not be approved:

(i) *Active producer.* Unless the buyer is an active burley tobacco producer.

(ii) *Cropland limitation.* If the sum of the pounds of quota being transferred,

plus the pounds of quota previously transferred to the farm in the current year by lease or by the owner, exceeds the difference between the farm marketing quota and one-half the result obtained by multiplying the acres of cropland on the farm by the farm yield,

(iii) *Quota previously sold.* If the farm owner sold quota from the farm during the current or either of the two preceding years to prevent a forfeiture of the quota.

(e) *Transfer agreement.* In order for a transfer of quota by sale, by lease, or by the owner to be approved for, or beginning in, the current crop year, the transfer must be:

(1) *Form.* Recorded on Form ASCS-375.

(2) *Signatures.* Agreed upon and signed by:

(i) *Lease.* The owner and operator of the transferring farm and the owner or operator of the receiving farm.

(ii) *Sale.* The owner of the selling farm and an active burley tobacco producer who is the buyer. If the buyer is neither owner or operator of the farm to which the quota will be assigned, the owner or operator of the farm must give written consent for the quota to be assigned to the farm.

(iii) *Owner transfer.* The owner of the transferring farm who also must be the owner or operator of the receiving farm.

(iv) *Witness.* An authorized witness who shall be a member of a State or county committee or an ASCS employee. Each person whose signature is required by either paragraph (e)(2)(i), (ii), or (iii) must sign in the presence of an authorized witness, except that when:

(A) The owner and operator of a lessor farm are different persons, the owner or operator, but not both, must sign in the presence of an authorized witness.

(B) Any person whose signature is required is ill, infirm, resides in a distant area, or are in similar hardship situations the requirement of a witness may be waived provided the county executive director mails Form ASCS-375 to such person for the required signature.

(3) *Where to file.* Filed in the county ASCS office which serves the county in which the transferring farm is located for administrative purposes.

(4) *When to file.* Filed on or before:

(i) *Lease or owner transfer.* February 15 of the next succeeding year.

(ii) *Sale.* June 30 of the current year.

(f) *Period of transfer.* A transfer by lease or by owner may be for a period of one to five years.

(g) *Approval or disapproval of a transfer agreement.* The county committee shall approve each transfer

agreement which meets the eligibility conditions as set forth in this section: *Provided*, That the county committee may delegate authority to the county executive director or other county office employee to act on behalf of the county committee and approve a transfer agreement which meets the eligibility requirements as set forth in this section. Such delegation of authority may authorize the county executive director or county office employee to approve any transfer agreement or the delegation of authority may be limited to approval of either transfers by sale or by lease or by the owner. Only the county committee shall disapprove a transfer agreement.

(1) *Time for determination.* Any approval or disapproval by the county committee of a transfer agreement should be made within 30 days after the transfer agreement is filed with the county committee unless additional time is required as the result of conditions beyond the control of the county committee. However, if an agreement is filed after June 30 which provides for the sale of a quota, a transfer agreement shall not be approved until the next year's quota is computed for the selling farm. In addition, if a marketing quota referendum will be conducted to determine whether or not quotas will be in effect for the crop, a transfer agreement shall not be approved until the Secretary announces that quotas have been approved by referendum.

(2) *Effective date.* An approved transfer agreement shall become effective upon approval by the county committee or its designee.

(h) *Quota after transfer by lease or by the owner.* The effective farm marketing quota shall be determined for both the transferring farm and the receiving farm in accordance with the provisions of § 728.57.

(i) *Apportionment of data and determination of quota after transfer of quota by sale.*—(1) *Apportionment of data for the selling farm.* The pounds of farm marketing quota retained on the selling farm after the sale of quota shall be divided by the farm marketing quota established for the selling farm before the sale to determine a factor for apportioning farm data. The data to be retained on the selling farm shall be determined by multiplying the factor by the following data:

(i) The amount of any overmarketings which have not been subtracted when a determination is made of the effective farm marketing quota of the selling farm;

(ii) The pounds of quota which have been transferred from the selling farm by lease or by the owner in the current year;

(iii) The pounds of quota which have been reduced in the current year as the result of a marketing quota violation in a prior year;

(iv) The pounds of quota transferred to the farm by lease or by owner in the previous year;

(v) The previous year's farm marketing quota;

(vi) The previous year's effective farm marketing quota; and

(vii) The previous year's marketings.

(2) *Apportionment of data for the buying farm.* The buying farm's share of each respective item of farm data shall be determined by subtracting the pounds which are retained on the selling farm for the respective item from the pounds which were established for the selling farm for the respective item before the current sale of quota: *Provided*, That the pounds of quota transferred from the selling farm by lease or by the owner and/or the pounds of quota reduction resulting from a marketing quota violation on the selling farm may be apportioned between the farms in accordance with a written agreement between the buyer and the seller if the farm marketing quota retained on the selling farm is sufficient to satisfy the pounds of quota which were transferred by lease or by the owner, the pounds of quota which have been reduced as the result of a marketing quota violation, and the overmarketings for the farm, if any. The data determined in accordance with this paragraph shall be added to any previous data for the buying farm.

(3) *Quotas after transfer.* After adjusting the data in accordance with the provisions of this section, the effective farm marketing quota shall be determined in accordance with § 728.57 for both the buying farm and the selling farm.

(j) *Carryover tobacco.* If tobacco is marketed after the entire farm marketing quota of the producing farm has been transferred by sale, the tobacco shall be considered as having been marketed on each farm to which farm marketing quota was transferred by sale in accordance with a transfer agreement filed after June 30 of the last year in which a farm marketing quota was established for the producing farm. Such marketing shall be prorated to each farm in proportion to the pounds of farm marketing quota purchased by each farm. If there was more than one farm to which a farm marketing quota was transferred by sale, the marketing may be assigned to the farms in the manner agreed to in writing by each of the buyers of such farm marketing quota.

(k) *Farm division after transfer by lease.* If a farm is divided after there has been a transfer of a marketing quota to the farm by lease, the transferred quota shall be divided in the manner which is designated in writing by the lessee. In the absence of a written designation, the leased quota shall be apportioned in the same manner as the farm marketing quota of the parent farm.

(l) *Multiple year transfer by lease or by owner.* The effective farm marketing quota on a receiving farm having a multiple-year transfer agreement in effect shall be adjusted for each year for which such transfer agreement is in effect to reflect any decrease in the national quota factor which causes the farm marketing quota established for the transferring farm to be less than the pounds of quota which have been transferred to the receiving farm.

(m) *Cancellation of transfer.* (1) A transfer of quota under this section which was approved in error or on the basis of incorrect information furnished by the parties to the agreement shall be canceled by the county committee. For the purpose of determining any overmarketings and undermarketings from the farms, and for the purpose of determining marketing quota penalties, the cancellation shall be effective as of the date of approval. However, such cancellation shall not be effective for the current marketing year for marketing quota penalties purposes if: (i) The transfer approval was made in error or on the basis of incorrect information which had been unknowingly furnished by the parties to the agreement; and (ii) the parties to the transfer agreement were not notified of the cancellation before the marketing for the receiving farm exceeded the correct effective farm marketing quota. The provisions of this paragraph shall not preclude any application of the provisions with respect to erroneous notice which are set forth in § 726.66.

(2) If a transfer of quota is canceled because of fraud on the part of the owner of the transferring farm but no fraud is attributable to either the owner or operator of the receiving farm, such cancellation shall be effective as of the date of approval of the transfer except for purposes of determining marketing quota penalties for the receiving farm. If a transfer of quota is canceled, the overmarketings shall be charged against the farm from which the transfer of quota was made if the farm, after any reconstitution which may be necessary as a result of the fraud, is assigned a quota against which the overmarketings could be charged. Otherwise, the overmarketings shall be charged against

any other farm involved in the fraud having a quota after any reconstitution required by such fraud. Notwithstanding the foregoing, any overmarketings on the receiving farm which are in excess of the amount of quota involved in the canceled transfer shall be charged against the receiving farm.

(n) *Dissolution or revision of a transfer agreement.* A transfer agreement may be dissolved or minor revisions made with respect to such agreement if a written request by all parties to the agreement is made to the county committee by February 15 of the current marketing year. After any such dissolution or revision of a transfer agreement, an official notice of the marketing quota shall be issued by the county committee to each of the operators involved in the transfer agreement. If a request to dissolve or revise a multiple-year lease is made after February 15 of the current marketing year, but before the last crop year for which the transfer agreement is effective, the next quotas established for the farms shall reflect the dissolution or revision.

(o) *Considered planted credit.* Considered planted credit shall be given to the transferring farm when tobacco quota is transferred from the farm by lease or by owner.

7. In § 726.81, paragraph (d) is revised to read as follows:

**§ 726.81 Issuance of marketing cards.**

\* \* \* \* \*

(d) *"No Price Support".* The notation "No Price Support" shall be entered on each marketing card issued for the use of:

(1) *Farm.* Any producer on the farm if the producers on the farm are ineligible for price support in accordance with the provisions of Part 1464 of this title.

(2) *Producer.* A producer on a farm if the producer is ineligible for price support in accordance with the provisions of Part 1464 of this title.

\* \* \* \* \*

8. In § 726.82, paragraph (a) is revised to read as follows:

**§ 726.82 Claim stamping and replacing marketing cards.**

(a) *Claim stamping.* If a person is indebted to the United States and such indebtedness has been recorded on the county debt record, any marketing card issued for the farm on which the person has a producer interest shall bear the notation "U.S. Claim" followed by the amount of the indebtedness. The name of the debtor-producer, if different from the farm operator, shall be recorded directly under the claim notation. The notation "TMQ" indicating tobacco

marketing quota as the type of indebtedness shall constitute notice to any buyer that until the amount of penalty is paid, the United States has a lien with respect to any crop of tobacco in which the debtor-producer has an interest. A claim notation other than "TMQ" shall constitute notice to any buyer that subject to prior liens, the net proceeds from any tobacco pledged as collateral for a price support loan shall be paid to the "Agricultural Stabilization and Conservation Service, USDA" to the extent of the indebtedness shown. The acceptance and use of a marketing card bearing a notation and information concerning an indebtedness to the United States shall not constitute a waiver by the debtor-producer of any right to contest the validity of such indebtedness by appropriate appeal. As claim collections are made, the amount of the claim shown on the marketing card shall be revised to show the claim balance. If requested by the producer, the county executive director who issued the marketing card shall issue a claim-free marketing card when the claim has been paid.

\* \* \* \* \*

9. In § 726.88, paragraph (c) is amended by removing the second sentence and a new paragraph (h) is added to read as follows:

**§ 726.88 Penalties considered to be due from warehousemen, dealers, buyers, and others excluding the producer.**

\* \* \* \* \*

(h) *Floor sweepings.* Effective for the 1982 and subsequent crops of tobacco, any person who markets floor sweepings in excess of allowable floor sweepings shall be subject to a civil penalty of 150 percent of the average market price, as specified in § 726.86, for the immediately preceding marketing year. The calculated penalty rate shall be rounded to the nearest whole cent. Any floor sweepings on hand more than 30 days after the warehouse closes for the auction season shall be considered as marketed. The floor sweepings on hand shall be weighed by the warehouseman and the weight shall be certified by the warehouseman, such weighing to be done in the presence of a representative of either the county committee or the State committee. Floor sweepings which are destroyed in the presence of a representative of the county committee within 30 days after the warehouse closes for the season shall not be considered as marketed when determining the quantity of floor sweepings marketed. If the county committee determines, after the warehouse has been closed for the

auction season for more than 30 days, that the cumulative quantity of floor sweepings marketed and considered marketed in the current marketing year is in excess of the allowable floor sweepings, the person responsible for such marketings shall be given notice of the determination and shall be afforded an opportunity to request reconsideration of such determination in accordance with the provisions of Part 780 of this chapter. A determination that a civil penalty is due for marketing floor sweepings in excess of the allowable floor sweepings shall not become final and shall not be assessed until such person has been afforded an opportunity to a hearing and such person has exhausted the applicable administrative remedies. The notice of assessment shall require such person to pay the civil penalty to the "Agricultural Stabilization and Conservation Service, USDA" within 15 days after the date of mailing of the notice.

10. In § 726.89 a new paragraph (f) is added to read as follows:

**§ 726.89 Producers penalties; false identification; failure to account; canceled quotas; overmarketing proportionate share.**

\* \* \* \* \*

**(f) Ineligible for price support.**

Effective for the 1983 and subsequent crops, a penalty at the basic rate as specified in § 726.86 for the current marketing year shall be assessed with respect to any marketings of burley tobacco by any producer on a farm if such producer is ineligible for price support because the farm operator or other producer on the farm has not agreed to make a contribution to the No Net Cost Account as required by Part 1464 of this title.

11. In § 726.90 a new paragraph (d) is added.

**§ 726.90 Payment of penalty.**

\* \* \* \* \*

**(d) Request for return of payment.**

Any producer of tobacco and any other person who paid any penalty after the marketing of all tobacco available for marketing from the farm may request the return of the amount of any such payment which is in excess of the amount required to be paid. Such request shall be filed on Form MQ-85, Farm Record and Account, with the county office within 2 years after the payment of the penalty. Approval of return of any such payment to a producer shall be by the county committee, subject to the approval of the State executive director.

12. Section 726.91 is revised to read as follows:

**§ 726.91 Lien for penalty.**

(a) *Lien on tobacco.* Until the amount of any penalty which is imposed in accordance with the provisions of section 314 of the Act [7 U.S.C. 1314] is paid, a lien shall exist in favor of the United States for the amount of the penalty on:

(1) The tobacco with respect to which such penalty is incurred.

(2) Any other tobacco subject to marketing quotas in which the person liable for payment of the penalty has an interest and which is marketed in the same or a subsequent marketing year.

(b) *Lien precedence.* The lien on any other tobacco attaches at the time the debt is entered on a debt record in:

(1) *Indebted producers.* The county ASCS office for the county in which a subsequent crop of tobacco is grown.

(2) *Indebted warehouseman.* The State ASCS office for the State in which the warehouse is located.

(3) *Indebted dealer.* The State ASCS office for the State to which the dealer is required to file reports.

(c) *List of tobacco penalty debts.* Each county and State ASCS office shall maintain a list of tobacco marketing penalty debts which have been entered on the debt record for the respective office. The list shall be available for examination upon written request by any interested person.

13. In § 726.92, paragraph (f) is revised to read as follows:

**§ 726.92 Producer's records and reports.**

\* \* \* \* \*

(f) *Amount of quota reduction.* The farm marketing quota determined for a farm for the current year shall be reduced by that amount of tobacco which is involved in a marketing quota violation as described in paragraphs (a), (c), (d), or (e) of this section which occurred in any prior year. However, the amount of such reduction shall not exceed the current year farm marketing quota. The county committee shall determine the amount of tobacco involved in the marketing quota violation. If the actual quantity of tobacco involved in such violation is unknown, the county committee shall determine the quantity by considering both the condition of the crop during production, if known, and such other information as is available.

14. In § 726.93, paragraph (a)(4) is amended by removing the words "Data Systems Field Office (DSFO)" and inserting, in their place, the words "Kansas City Field Office (KCFO)"; paragraph (b) is amended by revising the heading to read "*Identification of producer sales of tobacco.*", by

renumbering the existing paragraph as "(1)", and by adding a heading for paragraph (1) to read "*Tobacco sale bill.*"; paragraph (c)(3) is amended by removing "C&MS" and inserting, in its place, "AMS"; paragraph (d)(2) is amended by removing "DSFO" and inserting, in its place, "KCFO"; paragraph (m) is amended by revising the heading to read "*Reporting of processed leaf account tobacco.*"; a new paragraph (b)(2) is added; and paragraph (g)(12) is revised to read as follows:

**§ 726.93 Warehouseman's records and reports.**

\* \* \* \* \*

(b) \* \* \*

(2) *Basket ticket.* At the time tobacco is weighed for marketing, the warehouseman shall record the weight of the basket or sheet of tobacco on the tobacco sale bill and on the basket ticket. If the marketing card which is presented to identify the tobacco at weigh-in bears the notation "No Price Support," the same notation shall be entered by the warehouseman on the basket ticket for each basket or sheet of tobacco which is identified with the same marketing card.

\* \* \* \* \*

(g) \* \* \*

(12) The total of the resales column on Form MQ-79 which represents the non-auction sales, including floor sweepings nonauction sales, by the warehouse.

\* \* \* \* \*

15. In § 726.94, paragraphs (a), (b), (c)(1), (c)(2), and (c)(3) are revised and paragraph (c)(7) is added to read as follows:

**§ 726.94 Dealer's records and reports.**

\* \* \* \* \*

(a) *Record of marketings.* A dealer shall keep records which provide the following information for each lot of tobacco, including scrap tobacco, purchased or sold by the dealer:

(1) *Purchases.* (i) The name of:

(A) The warehouse through which the tobacco was purchased, if purchased at a warehouse auction; or

(B) The operator of the farm on which the tobacco was produced, if purchased from a producer as a nonauction purchase, and the name of the producer of the tobacco, if different from the operator; or

(C) The seller if purchased as a nonauction purchase from a warehouseman or dealer.

(ii) The identification number of the warehouse, farm, or dealer, as applicable, at/from which the tobacco was purchased.



(iii) The address and percentage share of the proceeds of the farm operator and any other producer from whom tobacco was purchased as a nonauction purchase.

(iv) The date of purchase.

(v) The pounds of tobacco purchased.

(vi) The gross purchase price.

(vii) The amount of penalty.

(viii) The amount deducted for the No Net Cost Tobacco Account.

(ix) The quantity of tobacco purchased from a prior crop and carried over for marketing in a subsequent crop year.

(2) *Sales.* (i) The name and identification number of:

(A) The warehouses through which the tobacco was sold, if sold at a warehouse auction, or

(B) The buyer if the tobacco was sold as a nonauction sale.

(ii) The date of sale.

(iii) The pounds of tobacco sold.

(iv) The gross sale price.

(b) *Nonauction purchase.* Each purchase of tobacco from a burley tobacco producing area shall be identified by a marketing card issued for the farm on which the tobacco was produced unless an AMS inspection certificate is obtained prior to purchase which shows that the tobacco being offered for sale is a kind of tobacco which is not subject to marketing quotas.

(1) After each nonauction purchase, the dealer shall enter a declining balance of "110 percent of quota" on the reverse side of the marketing card. The declining balance shall be determined by reducing the previous "110 percent of quota" entry on the marketing card by the number of pounds of tobacco purchased. The date the tobacco was purchased also shall be entered on the marketing card at the time each lot of tobacco is purchased.

(2) After each nonauction purchase, the dealer shall prepare a Form MQ-72-2 which shall set forth the following:

(i) The date of the purchase.

(ii) The registration number of the dealer.

(iii) The name and address of the person selling the tobacco.

(iv) The identification number (farm number, warehouse code, or dealer number, as applicable) of the person selling the tobacco.

(v) The pounds of tobacco purchased.

(vi) The amount of penalty collected.

(vii) The method (estimating or weighing) of determining the pounds of tobacco marketed.

(viii) The signature of the seller and the date signed.

(3) The dealer shall make deductions for producer contributions to the No Net

Cost Tobacco Account as provided for in Part 1464 of this title. For nonauction purchases during the 1982-83 marketing year, the dealer shall deduct one cent per pound from the price paid to the producer for the tobacco, except for a purchase which is identified with a marketing card bearing the notation "No Price Support." For nonauction purchases which are made by the dealer from producers during the 1983-84 and subsequent marketing years, the dealer shall make a deduction in accordance with Part 1464 of this title from the price paid to the producer for the tobacco. However, a deduction shall not be made if the original "110 percent of quota" entry on the marketing card used to identify the tobacco was zero pounds. The amount of the deduction which is applicable to burley tobacco marketed during each marketing year will be that amount per pound which is approved and announced by the Secretary as the producer contribution to the No Net Cost Tobacco Account for each such marketing year.

(c) *Record and report of purchases and resales.* (1) Each dealer shall keep a record and make reports on Form MQ-79 showing all purchases and resales of tobacco made by or for the dealer and, in the event of a purchase or resale of tobacco which is purchased by the dealer from a crop of tobacco produced prior to the current crop, the fact that such tobacco was so purchased and carried over from a crop produced prior to the current crop.

(2) A Form MQ-79 shall be prepared and a copy, together with executed copies of Form MQ-72-2 for all nonauction purchases, shall be forwarded to the State ASCS office not later than the end of the calendar week in which such tobacco was purchased or resold. However, if tobacco is purchased prior to the opening of the local auction market, a Form MQ-79 shall be prepared and a copy, together with executed copies of Form MQ-72-2 for all nonauction purchases, shall be forwarded to the State ASCS office not later than the end of the calendar week which would include the first sale date of the local auction markets. In addition, if tobacco is resold in a State other than where the tobacco is produced and the auction markets at such location open earlier than the auction market where the tobacco normally would be sold at auction by farmers, reports together with executed copies of Form MQ-72-2 for all nonauction purchases shall be prepared and forwarded to the State ASCS office not later than the end of the calendar week which would include the first day of the local auction market where the resale takes place.

(3) The data to be entered on Form MQ-72-2 for nonauction purchases from a producer shall be the data which is enumerated in accordance with the provisions of paragraph (b)(2) of this section.

\* \* \* \* \*

(7) In addition to Form MQ-79 and Form MQ-72-2, a Form MQ-79 (Supplemental) shall be executed to record information relating to each purchase of tobacco for which a contribution to the No Net Cost Tobacco Account is deducted from the price paid to the producer for the tobacco. The Form MQ-79 (Supplemental) shall be forwarded to the State ASCS office at the time of forwarding the Form MQ-79 on which the purchase is recorded. A check, draft, or money order in the amount of the deduction recorded on Form MQ-79 (Supplemental) and drawn payable to Commodity Credit Corporation shall be forwarded to the State ASCS office at the same time as Forms MQ-79 and MQ-79 (Supplemental).

\* \* \* \* \*

#### § 726.95 [Amended]

16. Section 726.95 is amended by removing, in paragraph (b), the words, "Production Adjustment Division,".

17. Section 726.100 is revised to read as follows:

#### § 726.100 Duties of Kansas City ASCS Field Office.

The Kansas City ASCS Field Office (KCFO) has responsibility for processing certain data and making such reports as may be required by the Deputy Administrator.

#### § 726.101 [Amended]

18. Section 726.101 is amended by removing the words "Program Operations Division and".

19. Section 726.103 is revised to read as follows:

#### § 726.103 Information confidential.

All data reported to or acquired by the Secretary pursuant to the provisions of this subpart shall be kept confidential by all officers and employees of the U.S. Department of Agriculture, by all members of county and community committees, and all county office employee. Only such data so reported or acquired as the Deputy Administrator deems relevant shall be disclosed by them, and then only in a suit or administrative hearing under title III of the Act. The provisions of this section shall not be deemed to prohibit the issuance of general statements based upon the report of a number of parties

which statements do not identify the information furnished by any person.

20. In § 726.105, the first sentence in paragraph (a) is revised to read as follows:

**§ 726.105 Recordkeeping and reporting requirements for processed producer carryover tobacco.**

(a) *General.* Except with respect to the 1982 crop of burley tobacco for which the Burley Tobacco Growers Cooperative Association and the Burley Stabilization Corporation may process and store producer carryover tobacco and may act as the producer's marketing agent in marketing the producer's tobacco during the 1983-84 marketing year, this section shall not be applicable to 1979 and subsequent crops of burley tobacco. \* \* \*

\* \* \*

Signed at Washington, D.C. on April 19, 1983.

**Everett Rank,**

*Administrator, Agricultural Stabilization and Conservation Service.*

[FR Doc. 83-10806 Filed 4-21-83; 8:45 am]

**BILLING CODE 3410-05-M**

## DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and  
Conservation Service

## 7 CFR Part 726

Burley Tobacco Marketing Quota  
Regulations

**AGENCY:** Agricultural Stabilization and Conservation Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule amends the regulations at 7 CFR Part 726 to implement the provisions of the No Net Cost Tobacco Program Act of 1982 (Pub. L. 97-218, 96 Stat. 197, approved July 20, 1982) with respect to the sale or forfeiture of burley tobacco quotas by persons other than individuals.

**DATE:** Comments on the proposed rule must be submitted on or before May 23, 1983 in order to be assured of consideration.

**ADDRESS:** Send comments to the Director, Tobacco and Peanuts Division, ASCS, Department of Agriculture, P.O. Box 2415, Washington, D.C. 20013. All written submissions made pursuant to this notice will be made available for public inspection in Room 5750 South Building, USDA, between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Jack S. Forlines, Agricultural Program Specialist, Tobacco and Peanuts Division, USDA-ASCS, P.O. Box 2415, Washington, D.C. 20013; (202) 382-0200.

**SUPPLEMENTARY INFORMATION:** This rule has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Secretary's Memorandum 1512-1 and has been classified as "not major." It has been determined that this rule will not result in: (1) An annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local governments, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal Assistance Program to which this rule applies are: Commodity Loan and Purchases; 10.051, as found in the Catalog of Federal Domestic Assistance.

While the Regulatory Flexibility Act is not applicable of this proposed rule, an Initial Regulatory Flexibility Impact Analysis has been prepared with a

Preliminary Regulatory Impact Analysis. Since this action may have a significant economic impact on a substantial number of small entities, the impact analysis addresses the issues required in section 603 of the Act. The analysis is published herein, and copies have been sent to the General Counsel of the Small Business Administration. Additional copies are available from Director, Analysis Division, Agricultural Stabilization and Conservation Service, USDA, P.O. Box 2415, Washington, D.C. 20313.

This action is not expected to have any significant impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

This proposed rule is necessary to implement the provisions of the No Net Cost Tobacco Program Act of 1982 (hereinafter referred to as the "Act"). The Act amended the Agricultural Adjustment Act of 1938 by adding a new section 316B to require that any person (including but not limited to governmental entities, public utilities, educational institutions, and religious institutions, but not including any individual) which owns a farm for which a burley tobacco marketing quota is established to forfeit or sell such quota if such person is not significantly involved in the management or use of land for agricultural purposes. Such quota must be sold not later than December 1, 1983, or December 1, of the year after the year in which the farm is acquired, whichever is later. If the quota is not sold by the applicable date, the person shall forfeit the quota to the county ASC committee.

This proposed rule would revise 7 CFR 726.69 to establish provisions with respect to the forfeiture of burley tobacco quota owned by persons, other than individuals, which are not significantly involved in the management or use of land for agricultural purposes. The major provisions of the proposed rule are as follows:

(1) *Sale of burley tobacco quotas.* The sale of burley tobacco quotas is permitted by persons, other than individuals, who own a farm having a burley tobacco quota and who are not significantly involved in the management and use of the land for agricultural purposes. However, such sales may be made only to persons who are or will become active burley tobacco producers within the same county. At the time a transfer agreement is filed with the county ASC office to transfer quota by sale, the agreement must

specify the farm to which the quota shall be assigned. This procedure is designed to prevent "hip-pocket" quotas (i.e., quotas assigned to persons rather than to farms). It is the responsibility of a purchaser of any burley tobacco quota who is not the owner of the farm to which the quota is assigned to take whatever measures are deemed to be necessary to protect the investment in such purchase should the producer fail to remain an active producer on the farm to which the burley tobacco quota has been assigned. Any burley tobacco quota which is purchased may not be sold except as may be required to prevent forfeiture. In addition, the owner of the farm to which the burley tobacco quota is assigned is the only person who is authorized to sell such quota.

(2) *Forfeiture of burley tobacco quotas.* Persons, as defined in 7 CFR Part 719, such as corporations, public utilities, partnerships, associations, educational institutions, religious institutions, governing bodies, joint ventures, (but not including a farming operation involving only a husband and wife), and all others, except individuals, owning farms must sell or forfeit any burley tobacco quotas on such farms unless such owners are significantly involved in the management or use of land for agricultural purposes. The phrase "significantly involved in the management and use of land for agricultural purposes" will hereinafter be referred to as "significantly involved."

To be considered as significantly involved, a person must satisfy the county ASC committee that: (a) Its primary purpose is the management or use of land for production of crops which are planted and harvested annually and/or livestock (including pasture or forage for livestock) and (b) it receives more than 50 percent of its gross income from the management or use of land for agricultural purposes. Further, to prevent circumvention of the statutory requirement that, except for any individual, persons who are not significantly involved must sell or forfeit any burley tobacco marketing quotas established for farms owned by such person, any other person owning more than 50 percent of the assets of the owner of such farms also must be significantly involved.

For example, if Person A is the owner of burley tobacco marketing quota and Person B owns more than 50 percent of the assets of Person A, both Persons A and B must each have received more than 50 percent of their gross income from the management or use of land for agricultural purposes.

To determine whether an owner of a farm for which a burley tobacco marketing quota is established, is significantly involved, an analysis will be made by the county ASC committee. First, the nature of the ownership interest must be determined. If an individual owns such farm, no further inquiry shall be made and the marketing quota established for such farm shall not be subject to forfeiture. However, a second determination shall be made if it is determined that the owner of such farm is not an individual.

With regard to this second determination, it shall be determined whether or not the owner is "significantly involved." If such owner is not significantly involved, no further inquiry shall be made and the marketing quota established for such farm shall be subject to forfeiture. If such owner is significantly involved, a third determination is necessary to determine whether such owner is owned by any other person, including ownership by an individual.

If it is determined during the course of this third inquiry that 50 percent or more of such owner is owned by an individual, no further inquiry shall be made and such owner of the farm shall be determined to be significantly involved. Accordingly, the marketing quota established for such farm shall not be subject to forfeiture. If it is determined that more than 50 percent of such owner is owned by any person(s) which is not an individual, a fourth inquiry shall be made.

In this fourth inquiry, a determination shall be made with respect to each such person which is not an individual to determine whether such person is significantly involved. If any such person is not significantly involved, the entire burley tobacco marketing quota established for such farm shall be subject to forfeiture.

In addition to the foregoing, an institution of higher education, such as a university or college, shall be considered as significantly involved if actively engaged in the production of tobacco for experimental or instructional purposes. Instructional purposes must include classroom courses which require the active participation of students in such activities as the preparation of land for the planting of tobacco and the growing and harvesting of tobacco. Experimentation and educational instruction in tobacco production by institutions of higher education are in the public interest. It is clear from the legislative history of the Act that Congress did not intend to divest these institutions of their burley tobacco quota

so long as the institutions are actively engaged in the described activities.

As used in section 316B of the 1938 Act, as amended, the phrase "owns a farm" indicates that ownership of land is a significant factor in determining whether a burley tobacco quota must be forfeited under certain conditions. Accordingly, this proposed rule provides that the phrase "owns a farm" means the ownership of: (a) A farm as constituted in accordance with the provisions of 7 CFR Part 719 if the entire farm shares a common ownership; or (b) a tract of land within a farm as constituted in accordance with the provisions of 7 CFR Part 719 if the farm, as constituted, consists of separate ownership tracts. Thus, when determining the amount of a burley tobacco quota which is subject to forfeiture because the owner is not significantly involved in the management or use of land for agricultural purposes, the county ASC committee will consider each ownership tract as though it were a separate farm in those cases where a farm consists of tracts of land under separate ownership.

Once a burley tobacco quota is purchased, the purchaser must share, for a period of five years, in the risk of production of tobacco which is produced subject to the quota or the quota shall be sold or forfeited.

(3) *Forfeiture pools.* In each county, a forfeiture pool will be established for forfeited burley tobacco quotas. Burley tobacco quotas which are forfeited will be reallocated by the county committee to eligible persons after taking into consideration such factors as the size of the current quota on the farm and the length of time the applicant has leased quota. Forfeited burley tobacco quotas may be reallocated to farms which currently do not have a burley tobacco quota.

(4) *Forfeiture of reallocated quota.* If an applicant fails to share in the risk of production of burley tobacco during any of the five years beginning with the crop year in which the quota is reallocated, the burley tobacco quota shall be forfeited. Mere failure to utilize the quota will not result in forfeiture but will extend the five-year period one year for each year the quota is not utilized.

#### Summary of Preliminary Regulatory Impact Analysis and Initial Regulatory Flexibility Impact Analysis

##### I. Title

Proposed Rules—Burley and Flue-Cured Tobacco Marketing Quota Regulations.

##### II. Need for Action

To implement amendments to the Agricultural Adjustment Act of 1938 which were made by the "No Net Cost Tobacco Program Act of 1982" (Pub. L. 97-218) which require that any person (including but not limited to governmental entities, public utilities, educational institutions, and religious institutions, but not including any individual) which is not significantly involved in the management or use of land for agricultural purposes, and which owns a farm for which a burley tobacco quota or a flue-cured tobacco allotment and quota are established, to sell such allotment and/or quota within a prescribed time period or such allotment and/or quota shall be forfeited for reallocation to active tobacco producers in the same county.

##### III. Options Considered

The statute is specific in the action that is required. Therefore, no options were considered.

##### IV. Legislative Basis for Action

This action is taken in accordance with sections 316A and 316B of the Agricultural Adjustment Act of 1938 as added by sections 202 and 302 of Pub. L. 97-218.

##### V. Expected Impacts

###### A. Direct Impacts.

1. Those persons, other than individuals, who are not significantly involved in the management and use of land for agricultural purposes must sell any burley tobacco quota or flue-cured tobacco allotment and quota that are established for any farm which such person may own or such allotment and/or quota will be forfeited.

2. Allotment and/or quota may be purchased by or reallocated to only those persons who will be active producers of the kind of tobacco.

###### B. Indirect Impacts.

No indirect impacts are anticipated.

###### C. USDA and Other Federal Outlays.

There will be no outlays of Federal funds, except for administrative expense.

##### VI. Projected Reporting, Recordkeeping, and Other Compliance Requirements

Any person, other than an individual, which owns a farm for which a burley tobacco quota or flue-cured tobacco allotment and quota are established may be requested by the county ASC committee to submit documentation with respect to whether such person is significantly involved in the management or use of land for agricultural purposes. Records which

ordinarily would be required of such persons for normal business purposes would generally be sufficient for providing such documentation. Therefore, no additional professional skills are required in order to comply with the requirements of this proposal.

**VII. Federal Rules Which Duplicate, Overlap, or Conflict With the Proposals**

The proposed rules do not duplicate, overlap, or conflict with the provisions or requirements of any other rules promulgated by the Federal government.

**VIII. Significant Alternatives to the Proposed Rules**

Sections 316 A and 316 B of the Agricultural Adjustment Act of 1938 mandate the actions with respect to which the proposed rules relate. Therefore, there are no alternatives to the proposed rules which will accomplish the statutory objectives.

**List of Subjects in 7 CFR Part 726**

Marketing quotas, Reporting requirements, Tobacco.

**Proposed Rule**

**PART 726—[AMENDED]**

Accordingly, it is proposed that 7 CFR Part 726 be amended as follows:

1. The table of contents is amended as follows:

Sec.	*	*	*	*	*
726.69	Forfeiture of quota.				
*	*	*	*	*	*

2. The authority citation reads as follows:

**Authority:** Sec. 301, 313, 314, 314A, 316B, 317, 372-375, 377, 378, 52 Stat. 38, as amended, 47, as amended, 48, as amended, 96 Stat. 210, 215, 75 Stat. 469, as amended, 79 Stat. 66, 52 Stat. 63, as amended, 65-66, as amended, 70 Stat. 206, 7 U.S.C. 1301, 1313, 1314, 1314-1, 1314b-2, 1314c, 1363, 1372-1375, 1377, 1378, Sec. 401, 63 Sta. 1054, as amended, 7 U.S.C. 1421.

3. Section 726.69 is revised to read as follows:

**§ 726.69 Forfeiture of quota.**

(a) *Determination of quota subject to forfeiture.* (1) For purposes of paragraph (b) of this section, the phrase "owns a farm" means ownership of:

(i) A farm as constituted under Part 719 of this chapter if the entire farm shares a common ownership; or  
(ii) All of the land within a farm which shares common ownership (commonly referred to as a "tract") if the parent farm consists of tracts of land having separate ownership.

(2) For purposes of paragraph (b) of this section, the county committee shall

apportion, in accordance with the provisions of Part 719 of this chapter, the burley tobacco quota assigned to a farm between the various tracts of land which are separately owned by:

(i) A person which is not significantly involved in the management or use of land for agricultural purposes, as described in paragraph (b) of this section.

(ii) An individual, or owned by a person which is significantly involved in the management or use of land for agricultural purposes.

(3) The farm marketing quota determined under this section for each farm or tract, as applicable, shall be the amount of quota subject to forfeiture under this section.

(b) *Person not significantly involved in management or use of land for agricultural purposes.* For purposes of this paragraph, the term "person" means a person as defined in Part 719 of this chapter, including any governmental entity, public utility, educational institution, religious institution, or joint venture (but not including any farming operation involving only a husband and wife), but excluding any individual.

(1) *Required forfeiture.* Any person not significantly involved in the management or use of land for agricultural purposes which owns a farm for which a burley tobacco marketing quota is established shall forfeit such quota which is not sold on or before:

(i) *Farm owned or acquired before January 1, 1983.* December 1, 1983.

(ii) *Farm acquired on or after January 1, 1983.* December 1 of the year after the year in which the farm is acquired.

(2) *Significantly involved.* A person shall be considered to be significantly involved in the management or use of land for agricultural purposes if the county ASC committee determines that:

(i) The primary business purpose of the person is the management or use of land for the production of crops which are planted and harvested annually, and or livestock, including pasture and forage for livestock;

(ii) For the 3 preceding years, more than 50 percent of the gross income of the person has been derived from the management or use of land as described in paragraph (b)(2)(i) of this section; and

(iii) Any other person or all persons which in combination own more than 50 percent or more of the assets of the owner of the farm for which a burley tobacco marketing quota is established also meet the criteria specified in paragraphs (b)(2)(i) and (ii) of this section.

(iv) In addition, an institution of higher education, such as a university or college, shall be considered to be a

person significantly involved in the management or use of land for agricultural purposes if the county ASC committee determines that it is actively engaged in the production of tobacco for experimental purposes or for instructional purposes under a program whereby students are enrolled in courses requiring them to actually produce the tobacco crop.

(3) *Documentation.* Within 30 days after a written request is made by the county ASC committee, or within such extended time as may be granted by the county ASC committee, a person must submit such documentation as may be requested to support a determination that the provisions of paragraph (b)(2) of this section have been met with respect to such person. Upon failure of such person to timely respond to such request, the county ASC committee shall determine that the person is not significantly involved in the management and use of land for agricultural purposes.

(c) *Buyer of quota fails to share in risk of production.*—(1) *Forfeiture required.* If any person buys a burley tobacco quota in accordance with the provisions of § 726.68 and such person fails to share in the risk of producing the tobacco which was planted subject to such quota during any of the five crop years beginning with the crop year for which the purchase became effective, such person shall forfeit the purchased allotment and quota which is not sold on or before December 31 of the year after the crop year in which such crop was planted.

(2) *Failure to utilize purchased quota.* The failure to utilize purchased burley tobacco quota shall not result in the forfeiture of such quota, but the five year period which is specified in paragraph (c)(1) of this section shall be extended one year for each year in which the quota is not utilized.

(3) *Reduction for failure to share in risk of production.* The effective quota shall be reduced, but not below zero pounds, for leasing and marketing quota purposes only, to the extent of the purchased quota for each crop year after the crop year in which the buyer of such quota fails to share in the risk of producing a crop of tobacco which is subject to such quota.

(4) *Determining forfeited amount.* If only part of the quota on a farm is attributable to a purchased quota, the amount of the farm marketing quota which must be forfeited under this paragraph shall be determined by increasing or decreasing each respective purchase of farm marketing quota for the farm to reflect changes in national

quota factors since the purchase occurred and subtracting the pounds of quota which have been sold to prevent forfeiture.

(d) *Hearing.* Before any forfeiture of quota becomes effective under the provisions of this section, the county committee shall:

(1) Schedule a hearing for the affected person.

(2) Notify the affected person of the hearing at least 10 days in advance of the hearing.

(3) Make a determination, on the basis of any evidence presented at the hearing, as to whether or not the affected person knowingly failed to take steps to prevent forfeiture of quota.

(4) Notify the affected person of the county committee determination and, if forfeiture of quota is to be required, afford such person an opportunity to appeal to a review committee in accordance with the provision of Part 711 of this chapter.

(e) *Apportionment of data and determination of quota after forfeiture.*—(1) *Apportionment of data.* The pounds of farm marketing quota retained on the forfeiting farm after the forfeiture shall be divided by the farm marketing quota established for the forfeiting farm before the forfeiture to determine a factor for apportioning farm data. The data to be retained on the forfeiting farm shall be determined by multiplying the factor by the following data of the forfeiting farm:

(i) The overmarketings which have not been subtracted when determining the effective farm marketing quota of the forfeiting farm.

(ii) The pounds of quota transferred from the forfeiting farm by lease or by the owner in the current year.

(iii) The pounds of quota reduced in the current year for a marketing quota violation in a prior year.

(iv) The previous year's effective farm marketing quota.

(v) The previous year's marketings.

(vi) The previous year's farm marketing quota.

(vii) The pounds of quota transferred to the farm by lease or by the owner in the previous year.

The portion of the forfeiting farm data which shall be included in a forfeiture pool for the county shall be determined by subtracting the pounds of each respective item of farm data which are retained on the forfeiting farm from the pounds of the respective item of data which was established for the forfeiting farm before the forfeiture.

(2) *Forfeiture pool data.* The data for the forfeiture pool shall be added to any previous data in the forfeiture pool.

(3) *Quota after forfeiture.* After

adjustment of data, the effective farm marketing quota shall be determined in accordance with the provisions of § 726.57 for the forfeiting farm.

(f) *Forfeiture pool.*—(1) *Forfeiture pool required.* A forfeiture pool shall be established in each county in which a forfeiture of quota occurs. The forfeiture pool shall be increased to include data for each forfeiture and shall be decreased for each reallocation in order to reflect any forfeited or reallocated amounts of:

(i) The farm marketing quota for the current year.

(ii) The quota reduced for violation.

(iii) The quota transferred from the forfeiting farm by lease or by the owner.

(iv) The previous year's effective farm marketing quota.

(v) The previous year's marketings.

(2) *Adjustment of data in forfeiture pool.* At the beginning of the current year, the data in the forfeiture pool shall be adjusted by the factor used in determining quotas for old farms. Quota data in the forfeiture pool shall be decreased each time any burley tobacco quota is reallocated from the forfeiture pool. Such decrease in the quota data will be made in the same proportion as the pounds of quota which are reallocated from the pool are to the pounds of quota which were in the pool before the reallocation.

(g) *Reallocation of quota from forfeiture pool.*—(1) *Application.* In order to establish eligibility to receive quota from the forfeiture pool in the current year, an application must be made on a form approved by the Deputy Administrator. Such application must be filed:

(i) *Who may file.* By an active producer.

(ii) *When to file.* On or before April 30: *Provided,* That the State committee may establish an earlier date if notice of such earlier date is given in time for interested applicants to file an application by the earlier date.

(iii) *Where to file.* At the county ASCS office which serves the farm for which the application is filed.

(2) *Eligibility of applicant.* In order for an applicant to be eligible for quota from the forfeiture pool the county committee must determine that:

(i) The application was filed timely.

(ii) The applicant is an active tobacco producer.

(iii) During the current year or during the four years preceding the current year, the applicant has not sold or forfeited quota from any farm.

(3) *Time to reallocate.* The county committee shall:

(i) Not reallocate any quota from the forfeiture pool until the time has passed

for filing an application for forfeited quota for the current year.

(ii) Reallocate any quota from the forfeiture pool only during the 30-day period beginning on the day after the final date for filing an application for quota from the forfeiture pool.

(4) *Reallocation by county committee.*

Reallocation of any burley tobacco quota shall be made by the county committee. In making its determination of the amounts of quota to reallocate, the county committee may consider the size of the current quotas on the farms of the eligible applicants, the length of time the applicants have been farming tobacco, the type of farming done by the applicants (i.e., livestock, grain, or other commodities), previous leasing history of applicants, and such other factors which in the judgment of the county committee should be considered. A burley tobacco quota may be reallocated to a farm which currently does not have a burley tobacco quota. A factor shall not be used to reallocate quota between all eligible applicants.

(5) *Basis for reallocation from forfeiture pool.* Reallocation from the forfeiture pool shall be on the basis of pounds of farm marketing quota.

(6) *Amount of quota to reallocate.* The county committee may reallocate all or part of the quota in the forfeiture pool. The minimum and maximum amounts of quota which may be reallocated to an eligible applicant are:

(i) *Minimum.* The total amount of quota in the pool or 100 pounds, whichever is less.

(ii) *Maximum.* 500 pounds: *Provided,* That not to exceed 1,500 pounds may be reallocated with State committee approval.

(7) *Data for receiving farm.* All quota data for the forfeiture pool shall be apportioned to the receiving farm in the proportion that the reallocated farm marketing quota is to the total farm marketing quota in the forfeiture pool before the reallocation. The data determined for the receiving farm in accordance with the provisions in this paragraph shall be added to any previous data for the receiving farm.

(8) *Quota for receiving farm.* After any adjustments which are made in accordance with the provisions of this section, the effective farm marketing quota shall be determined for the receiving farm in accordance with the provisions of § 726.57.

(h) *Forfeiture of reallocated quota.* Any burley tobacco quota which is reallocated in accordance with the provisions of this section shall be forfeited if the applicant to whom the quota is reallocated fails to share in the

risk of producing a crop of tobacco which is subject to such quota during any of the five years beginning with the crop year during which the quota is reallocated. The amount of farm marketing quota which must be forfeited shall be determined in the same manner which is specified in paragraph (c)(4) of this section with respect to the forfeiture of purchased quota. Any forfeiture of quota shall occur on December 1 of the year in which the applicant fails to share in the risk of production of tobacco which is produced subject to such quota: *Provided*, That while the failure to utilize a quota shall not subject the quota to forfeiture, the five year period which is specified in this paragraph shall be extended by a year for each year in which the allotment and quota is not utilized.

(i) *Successor-in-interest*. A successor-in-interest shall be subject to the provisions of this section in the same manner and to the same extent as would be applicable to the person whose interest has been assumed by such successor-in-interest.

(1) *New owner of farm*. The new owner of a farm on which a portion or all of the farm marketing quota for such farm was either purchased and/or was reallocated from forfeited quota shall become the successor-in-interest to the previous owner of the farm. However, if a farm is acquired by a new owner on or before June 30 of the current crop year and such owner would otherwise be required to sell or forfeit the farm marketing quota because in the preceding crop year the buyer of such quota did not share in the risk of producing a crop of tobacco which was subject to such purchased or reallocated quota, the new owner may be considered the buyer of quota instead of being considered as a successor-in-interest to the previous owner of the farm. However, the new owner must furnish to the county committee on or before June 30 of the current year, a certification that such owner intends to become an active burley tobacco producer. Any purchased or reallocated quota, which is acquired by a new owner who is considered to be the buyer of quota in accordance with the provisions of this paragraph, shall be subject to forfeiture under the same terms and conditions which would be applicable if the new owner actually had purchased the quota at the time the farm was acquired.

(2) *Buyer no longer shares in risk of production*. The owner of a farm shall become the successor-in-interest to the buyer of burley tobacco quota which was transferred to a farm but which was

not owned by such buyer if the buyer ceases to share in the risk of production of burley tobacco produced on the farm.

Signed at Washington, D.C. on April 19, 1983.

Everett Rank,

*Administrator, Agricultural Stabilization and Conservation Service.*

[FR Doc. 83-10807 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-05-M

## 7 CFR Part 725

### Flue-Cured Tobacco Acreage Allotment and Marketing Quota Regulations

**AGENCY:** Agricultural Stabilization and Conservation Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule amends the regulations at 7 CFR Part 725 to implement the provisions of the No Net Cost Tobacco Program Act of 1982 (Pub. L. 97-218, 96 Stat. 197, approved July 20, 1982) with respect to the forfeiture of flue-cured tobacco acreage allotments and marketing quotas by persons other than individuals.

**DATE:** Comments on the proposed rule must be submitted on or before May 23, 1983 in order to be assured of consideration.

**ADDRESS:** Send comments to the Director, Tobacco and Peanuts Division, ASCS, Department of Agriculture, P.O. Box 2415, Washington, D.C. 20013. All written submissions made pursuant to this notice will be made available for public inspection in Room 5750 South Building, USDA, between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Jack S. Forlines, Agricultural Program Specialist, Tobacco and Peanuts Division, USDA-ASCS, P.O. Box 2415, Washington, D.C. 20013; (202) 382-0200.

**SUPPLEMENTARY INFORMATION:** This rule has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Secretary's Memorandum 1512-1 and has been classified as "not major." It has been determined that this rule will not result in: (1) An annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local governments, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete

with foreign-based enterprises in domestic or export markets.

The title and number of the Federal Assistance Program to which this rule applies are: Commodity Loan and Purchases; 10.051, as found in the Catalog of Federal Domestic Assistance.

While the Regulatory Flexibility Act is not applicable to this proposed rule, an Initial Regulatory Flexibility Impact Analysis has been prepared with a Preliminary Regulatory Impact Analysis. Since this action may have a significant economic impact on a substantial number of small entities, the impact analysis addresses the issues required in section 603 of that Act. The analysis is published herein, and copies have been sent to the General Counsel of the Small Business Administration. Additional copies are available from Director, Analysis Division, Agricultural Stabilization and Conservation Service, USDA, P.O. Box 2415, Washington, D.C. 20013.

This action is not expected to have any significant impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

This proposed rule is necessary to implement the provisions of the No Net Cost Tobacco Program Act of 1982 (hereinafter referred to as the "Act"). The Act amended the Agricultural Adjustment Act of 1938 by adding a new section 316A to require that any person (including but not limited to governmental entities, public utilities, educational institutions, and religious institutions, but not including any individual) which owns a farm for which a flue-cured allotment and marketing quota are established to forfeit or sell such allotment and quota if such person is not significantly involved in the management or use of land for agricultural purposes. Such allotment or quota must be sold not later than December 1, 1983, or December 1 of the year after the year in which the farm is acquired, whichever is later. If the allotment and quota are not sold by the applicable date, the person shall forfeit the allotment and quota to the county ASC committee.

An interim rule was published in the Federal Register on December 17, 1982, (47 FR 56473) which amended 7 CFR Part 725 to set forth rules relating to the sale or forfeiture of flue-cured tobacco allotments and quotas. This proposed rule would add a new paragraph (b) to 7 CFR 725.74 to establish provisions with respect to the forfeiture of allotment and quota established for farms owned by



persons, other than individuals, which are not significantly involved in the management or use of land for agricultural purposes. The phrase "significantly involved in the management and use of land for agricultural purposes" will hereinafter be referred to as "significantly involved."

To be considered as significantly involved, a person must satisfy the county ASC committee that: (a) Its primary purpose is the management or use of land for production of crops which are planted and harvested annually and/or livestock (including pasture or forage for livestock) and (b) it receives more than 50 percent of its gross income from the management or use of land for agricultural purposes. Further, to prevent circumvention of the statutory requirement that, except for any individual, persons who are not significantly involved must sell or forfeit any flue-cured tobacco allotments and marketing quotas established for farms owned by such person, any other person owning more than 50 percent of the assets of the owner of such farms also must be significantly involved.

For example, if Person A is the owner of a flue-cured tobacco allotment and marketing quota and Person B owns more than 50 percent of the assets of Person A, both Persons A and B must each have received more than 50 percent of their gross income from the management or use of land for agricultural purposes.

To determine whether an owner of a farm for which a flue-cured tobacco acreage allotment and marketing quota are established is significantly involved, an analysis will be made by county ASC committee. First, the nature of the ownership interest must be determined. If an individual owns such farm, no further inquiry shall be made and the allotment and marketing quota established for such farm shall not be subject to forfeiture. However, a second determination shall be made if it is determined that the owner of such farm is not an individual.

With regard to this second determination, it shall be determined whether or not the owner is significantly involved. If such owner is not significantly involved, no further inquiry shall be made and the allotment and marketing quota established for such farm shall be subject to forfeiture. If such owner is significantly involved, a third determination is necessary to determine whether such owner is owned by any other person, including ownership by an individual.

If it is determined during the course of this third inquiry that 50 percent or

more of such owner is owned by an individual, no further inquiry shall be made and such owner of the farm shall be determined to be significantly involved. Accordingly, the allotment and marketing quota established for such farm shall not be subject to forfeiture. If it is determined that more than 50 percent of such owner is owned by any person(s) which is not an individual, a fourth inquiry shall be made.

In this fourth inquiry, a determination shall be made with respect to each such person which is not an individual to determine whether such person is significantly involved. If any such person is not significantly involved, the entire flue-cured tobacco allotment and marketing quota established for such farm shall be subject to forfeiture.

In addition to the foregoing, an institution of higher education, such as a university or college, shall be considered as significantly involved if actively engaged in the production of tobacco for experimental or instructional purposes. Instructional purposes must include classroom courses which require the active participation of students in such activities as the preparation of land for the planting of tobacco and the growing and harvesting of tobacco. Experimentation and educational instruction in tobacco production by institutions of higher education are in the public interest. It is clear from the legislative history of the Act that Congress did not intend to divest these institutions of their flue-cured tobacco allotment and quota so long as the institutions are actively engaged in the described activities.

#### **Summary of Preliminary Regulatory Impact Analysis and Initial Regulatory Flexibility Impact Analysis**

##### *I. Title*

Proposed Rules—Burley and Flue-Cured Tobacco Marketing Quota Regulations.

##### *II. Need for Action*

To implement amendments to the Agricultural Adjustment Act of 1938 which were made by the "No Net Cost Tobacco Program Act of 1982" (Pub. L. 97-218) which require that any person (including not any limited to governmental entities, public utilities, educational institutions, and religious institutions, but not including any individual) which is not significantly involved in the management or use of land for agricultural purposes, and which owns a farm for which a burley tobacco quota or a flue-cured tobacco allotment and quota are established, to

sell such allotment and/or quota within a prescribed time period or such allotment and/or quota shall be forfeited for reallocation to active tobacco producers in the same county.

##### *III. Options Considered*

The statute is specific in the action that is required. Therefore, no options were considered.

##### *IV. Legislative Basis for Action*

This action is taken in accordance with sections 316A and 316B of the Agricultural Adjustment Act of 1938 as added by sections 202 and 302 of Pub. L. 97-218.

##### *V. Expected Impacts*

###### *A. Direct Impacts.*

1. Those persons, other than individuals, who are not significantly involved in the management and use of land for agricultural purposes must sell any burley tobacco quota or flue-cured tobacco allotment and quota that are established for any farm which such person may own or such allotment and/or quota will be forfeited.

2. Allotment and/or quota may be purchased by or reallocated to only those persons who will be active producers of the kind of tobacco.

*B. Indirect Impacts.* No indirect impacts are anticipated.

###### *C. USDA and Other Federal Outlays.*

There will be no outlays of Federal funds, except for administrative expense.

##### *VI. Projected Reporting, Recordkeeping, and Other Compliance Requirements*

Any person, other than an individual, which owns a farm for which a burley tobacco quota or flue-cured tobacco allotment and quota are established may be requested by the county ASC committee to submit documentation with respect to whether such person is significantly involved in the management or use of land for agricultural purposes. Records which ordinarily would be required of such persons for normal business purposes would generally be sufficient for providing such documentation. Therefore, no additional professional skills are required in order to comply with the requirements of this proposal.

##### *VII. Federal Rules Which Duplicate, Overlap, or Conflict With The Proposals*

The proposed rules do not duplicate, overlap, or conflict with the provisions or requirements of any other rules promulgated by the Federal government.



### *VIII. Significant Alternatives to the Proposed Rules*

Section 316A and 316B of the Agricultural Adjustment Act of 1938 mandate the actions with respect to which the proposed rules relate. Therefore, there are no alternatives to the proposed rules which will accomplish the statutory objectives.

#### **List of Subjects in 7 CFR Part 725**

Acreage allotment, Marketing quota, Report requirements, Tobacco.

#### **Proposed Rule**

#### **PART 725—[AMENDED]**

Accordingly, it is proposed that 7 CFR Part 725 be amended as follows:

1. The authority citation for 7 CFR Part 725 reads as follows:

Authority: Sec. 301, 313, 314, 316, 316A, 317, 363, 372-375, 377, 378, 52 Stat. 38 as amended, 47, as amended, 48, as amended, 75 Stat. 469, as amended, 96 Stat. 205, 79 Stat. 66, as amended, 52 Stat. 63, as amended, 65-66, as amended, 70 Stat. 206, as amended, 72 Stat. 995, as amended, 7 U.S.C. 1301, 1313, 1314, 1314b, 1314b-1, 1314c, 1363, 1372-75, 1377, 1378, Sec. 401, 63 Stat. 1054, as amended, 7 U.S.C. 1421.

2. In § 725.74, a new paragraph (b) is added to read as follows:

#### **§ 724.75 Forfeiture of allotment and quota.**

\* \* \* \* \*

(b) *Person not significantly involved in management or use of land for agricultural purposes.* For purposes of this paragraph, the term "person" means a person as defined in Part 719 of this chapter, including any governmental

entity, public utility, educational institution, religious institution, or joint venture (but not including any farming operation involving only a husband and wife), but excluding any individual.

(1) *Required forfeiture.* Any person not significantly involved in the management or use of land for agricultural purposes which owns a farm for which a flue-cured tobacco acreage allotment and marketing quota are established shall forfeit, in accordance with the provisions of § 725.72, such allotment and quota which is not sold on or before:

(i) *Farm owned or acquired before January 1, 1983.* December 1, 1983.

(ii) *Farm acquired on or after January 1, 1983.* December 1 of the year after the year in which the farm is acquired.

(2) *Significantly involved.* A person shall be considered to be significantly involved in the management or use of land for agricultural purposes if the county ASC committee determines that:

(i) The primary business purpose of the person is the management or use of land for the production of crops which are planted and harvested annually, and/or livestock, including pasture and forage for livestock;

(ii) For the 3 preceding years, more than 50 percent of the gross income of the person has been derived from the management or use of land as described in paragraph (b)(2)(i) of this section; and

(iii) Any other person or all other persons which in combination own more than 50 percent of the assets of the owner of the flue-cured tobacco allotment and marketing quota also

meet the criteria specified in paragraphs (b)(2) (i) and (ii) of this section.

(iv) In addition, an institution of higher education, such as a university or college, shall be considered to be a person significantly involved in the management or use of land for agricultural purposes if the county ASC committee determines that it is actively engaged in the production of tobacco for experimental purposes or for instructional purposes under a program whereby students are enrolled in courses requiring them to actually produce the tobacco crop.

(3) *Documentation.* Within 30 days after a written request is made by the county ASC committee, or within such extended time as may be granted by the county ASC committee, a person must submit such documentation as may be requested to support a determination that the provisions of paragraph (b)(2) of this section have been met with respect to such person. Upon failure of such person to timely respond to such request, the county ASC committee shall determine that the person is not significantly involved in the management and use of land for agricultural purposes.

Signed at Washington, D.C. on April 15, 1983.

C. Hoke Leggett,

*Acting Administrator, Agricultural Stabilization and Conservation Service.*

[FR Doc. 83-10808 Filed 4-21-83; 8:45 am]

BILLING CODE 3410-05-M

**Energy  
Policy  
Report  
Federal**

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**Friday  
April 22, 1983**

**Part VII**

**Department of  
Energy**

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**Federal Energy Regulatory Commission**

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**Determinations by Jurisdictional Agencies  
Under the Natural Gas Policy Act of  
1978**

## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Volume 871]

Determinations by Jurisdictional  
Agencies Under the Natural Gas Policy  
Act of 1978

Issued: April 19, 1983.

The following notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are available for inspection except to the

extent such material is confidential under 18 CFR 275.208, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the Federal Register.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd., Springfield, Va. 22161.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease  
102-2: New well (2.5 mile rule)  
102-3: New well (100 ft rule)

102-4: New onshore reservoir  
102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper  
107-CB: Geopressed brine  
107-CS: Coal Seams  
107-DV: Devonian Shale  
107-PE: Production enhancement  
107-TF: New tight formation  
107-RT: Recompletion tight formation

Section 108: Stripper well  
108-SA: Seasonally affected  
108-ER: Enhanced recovery  
108-PB: Pressure buildup

Kenneth F. Plumb,  
Secretary.

NOTICE OF DETERMINATIONS  
Issued April 19, 1983

VOLUME 871

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION								
-AKERS AND FULTZ INC RECEIVED: 03/21/83 JA: TX								
8328845	F-09-064276	4223700000	108		ROY CHERRYHOMES REGULAR #11	JACK COUNTY REGULAR	11.0	CITIES SERVICE CO
8328720	F-09-063888	4223700000	108		ROY CHERRYHOMES REGULAR #2	JACK COUNTY REGULAR	7.5	CITIES SERVICE CO
8328844	F-09-064275	4223700000	108		ROY CHERRYHOMES REGULAR #5	JACK COUNTY REGULAR	3.0	CITIES SERVICE CO
-AM QUEST CORP RECEIVED: 03/21/83 JA: TX								
8328680	F-7C-062407	4243532824	103	107-TF	HULL #6	SONORA (CANYON-UPPER)	219.0	EL PASO NATURAL G
-AMERICAN PUBLIC ENERGY CO RECEIVED: 03/21/83 JA: TX								
8328545	F-02-053493	4223900000	102-4	103	SYLVAN GURINSKY #1	ROSE (FRIO 7030) (APP	252.0	UNITED GAS PIPE L
-AMERICAN QUASAR PETROLEUM CO RECEIVED: 03/21/83 JA: TX								
8328699	F-7C-062803	4243532754	103	107-TF	SHURLEY RANCH "149" #1	SEC 149 BLK C HEART R	0.0	EL PASO NATURAL G
-AMOCO PRODUCTION CO RECEIVED: 03/21/83 JA: TX								
8328824	F-7C-064093	4213730850	103		STANLEY B MAYFIELD #19	SAMYER (CANYON)	9.2	LONE STAR GAS CO
-ARCADIA REFINING CO RECEIVED: 03/21/83 JA: TX								
8328523	F-06-048373	4240131345	102-4	107-TF	W J WENDELIN #1	MINDEN E (TRAVIS PEAK	0.0	FERGUSON CROSSING
-ASTIN CORP RECEIVED: 03/21/83 JA: TX								
8328842	F-7B-064262	4208331406	102-4		C W HEMPHILL #2	HEMPHILL (JENNINGS)	110.0	EL PASO HYDROCARB
8328843	F-7B-064263	4208331693	102-4		C W HEMPHILL II #4	HEMPHILL (JENNINGS)	46.0	EL PASO HYDROCARB
-BALLARD EXPLORATION CO INC RECEIVED: 03/21/83 JA: TX								
8328787	F-03-063869	4215731351	102-4		HERMANN HOSPITAL #1	JESTER (MURPHY-BULS #	365.0	HOUSTON PIPE LINE
8328786	F-03-063868	4215731343	102-4		TEXAS DEPT OF CORRECTIONS #1 WELL	JESTER (MURPHY-BULS #	73.0	HOUSTON PIPE LINE
8328784	F-03-063866	4215731366	102-4		TEXAS DEPT OF CORRECTIONS #2	JESTER (MURPHY-BULS #	132.5	HOUSTON PIPE LINE
8328785	F-03-063867	4215731343	102-4		TEXAS DEPT OF CORRECTIONS "A-1"	JESTER (MURPHY-BULS #	132.5	HOUSTON PIPE LINE
-BANAM CORP RECEIVED: 03/21/83 JA: TX								
8328781	F-7B-063835	4215100000	102-4		MOORE #1-5	SATURDAY EAST (CANYON	59.1	CONOCO INC
-BAY ROCK CORPORATION RECEIVED: 03/21/83 JA: TX								
8328876	F-02-064411	4212331242	102-4		BERNAL CARROLL #1	CECILY (YEGUA 4950) F	0.0	LONE STAR GAS CO
-BENGAIL INC RECEIVED: 03/21/83 JA: TX								
8328662	F-04-062034	4235532049	102-4		STUART-THOMPSON GAS UNIT #1	CLARA DRISCOLL SOUTH	75.0	HOUSTON PIPE LINE
-BILL PENN INC RECEIVED: 03/21/83 JA: TX								
8328761	F-03-063590	4228700000	102-2	103	BENNY "M" #1	GIDDINGS (AUSTIN CHAL	21.0	PERRY PIPE LINE C
8328762	F-03-063591	4228700000	102-2	103	GEORGE K #1	GIDDINGS (AUSTIN CHAL	39.0	PERRY PIPE LINE C
-BLAIR PROPERTIES RECEIVED: 03/21/83 JA: TX								
8328799	F-7B-063960	4236300000	103		BETTY GRAHAM #2 RRC ID #093386	PALO PINTO (REGULAR)	35.0	SOUTHWESTERN GAS
-BTA OIL PRODUCERS RECEIVED: 03/21/83 JA: TX								
8328744	F-7C-063477	4238332382	103		JACKSON -B- #14	SPRABERRY (TREND AREA	22.0	EL PASO NATURAL G
8328789	F-7C-063900	4238332383	103		JACKSON -B- #15	SPRABERRY (TREND AREA	22.0	EL PASO NATURAL G
8328790	F-7C-063901	4238332405	103		JACKSON -B- #17	SPRABERRY (TREND AREA	22.0	EL PASO NATURAL G
-BURK ROYALTY CO RECEIVED: 03/21/83 JA: TX								
8328613	F-09-060488	4250335786	103		MACMILLIAMS "B" #2	YOUNG COUNTY REGULAR	500.0	KIBO COMPRESSOR C
-CALIX CORP RECEIVED: 03/21/83 JA: TX								
8328614	F-01-060545	4217731284	102-4		HARDCASTLE #1	PEACH CREEK (AUSTIN C	22.0	VALERO TRANSMISSI
8328659	F-01-061823	4217731322	102-4		INDUSTRIAL PARK UNIT #1	PEACH CREEK (AUSTIN C	180.0	VALERO TRANSMISSI
-CAR-TEX PRODUCING CO RECEIVED: 03/21/83 JA: TX								
8328596	F-06-059835	4236500000	108		MCNEESE HEIRS #1	CARTHAGE FIELD	18.0	TEXAS GAS TRANSMI
-CASS OIL CO RECEIVED: 03/21/83 JA: TX								
8328619	F-7C-060632	4246131933	102-3		ELKIN 30 #1 RRC 009789	CALVIN (DEAN)	36.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328618	F-7C-060631	4246131934	102-3		ELKIN 30 82 RRC 009789	CALVIN (DEAM)	70.0	EL PASO NATURAL G
-CENTURY ENERGY INC			RECEIVED:	03/21/83	JA: TX			
8328685	F-01-062455	4250731146	103		LORA LYLES #10	LYLES RANCH	108.4	ESPERANZA TRANSMI
8328683	F-01-062453	4250731147	103		LORA LYLES #11	LYLES RANCH	112.8	ESPERANZA TRANSMI
8328684	F-01-062454	4250731040	103		LORA LYLES #2	LYLES RANCH	48.2	ESPERANZA TRANSMI
8328682	F-01-062452	4250731100	103		LORA LYLES #7	LYLES RANCH	458.1	ESPERANZA TRANSMI
-CHAMPLIN PETROLEUM COMPANY			RECEIVED:	03/21/83	JA: TX			
8328803	F-04-063981	4235500000	108		CHAPMAN RANCH #480	CHAPMAN RANCH	0.0	TEXAS EASTERN TRA
8328708	F-04-062937	4235531541	103		G P WARDNER #145	STRATTON (F-39-11)	0.0	TENNESSEE GAS PIP
8328540	F-04-052727	4235500000	103		G P WARDNER #158	STRATTON (GOLIAD)	0.0	TENNESSEE GAS PIP
8328567	F-04-057303	4235531999	102-4 103		G P WARDNER #159-L	WILDCAT	0.0	TENNESSEE GAS PIP
-CLEMCO INC			RECEIVED:	03/21/83	JA: TX			
8328725	F-06-063151	4242330610	103		W J DICKERSON #1	CHAPEL HILL (TRAVIS P	20.0	EAST TEXAS PRODU
-CNG PRODUCING COMPANY			RECEIVED:	03/21/83	JA: TX			
8328568	F-04-057307	4221531186	102-4		J MUCHER #1	ARRONHEAD RANCH	116.0	VALERO INTERSTATE
-COASTAL OIL & GAS CORP			RECEIVED:	03/21/83	JA: TX			
8328875	F-10-064412	4234130901	103		THOMPSON 2-25J	PANHANDLE (RED CAVE)	2.0	COLORADO INTERSTA
-COATES ENERGY TRUST			RECEIVED:	03/21/83	JA: TX			
8328767	F-04-063669	4242731458	102-2	107-TF	PEHA-COATES MINERALS #1	KELSEY SOUTH (WOOD)	164.0	VALERO INTERSTATE
-COBRA OIL AND GAS CORPORATION			RECEIVED:	03/21/83	JA: TX			
8328617	F-03-060559	4214931384	102-2		WEBB #2	GIDDINGS AUSTIN CHALK	58.0	PHILLIPS PETROLEU
-COMANCHE INVESTMENTS			RECEIVED:	03/21/83	JA: TX			
8328561	F-7B-056478	4213333896	102-4 103		BIG MIKE "A" #1	DAVENPORT (RANGER M)	0.0	LONE STAR GAS CO
-CONOCO INC			RECEIVED:	03/21/83	JA: TX			
8328645	F-10-061526	4234130853	103		O W SHELLBERG #2	WEST PANHANDLE	283.0	DIAMOND SHAMROCK
8328700	F-04-062815	4247933478	102-2	107-TF	ROSA V BEHAVIENS "A" #19	CONTRARY (LOBO)	146.0	E I DUPONT DE NEM
8328575	F-04-058200	4247933313	102-2	107-TF	VAQUILLAS RANCH "B" #23	VAQUILLAS RANCH (WILC	84.0	E I DUPONT DENEMO
-COOK PRODUCTION CO			RECEIVED:	03/21/83	JA: TX			
8328760	F-09-063589	4223700000	108		DICKENSON #1	DICKENSON (STRAWN 395	0.0	LONE STAR GAS CO
-CORDOVA RESOURCES INC			RECEIVED:	03/21/83	JA: TX			
8328759	F-7B-063586	4213334285	103		J T BEGGS #1	EASTLAND COUNTY REGUL	1.0	EL PASO HYDROCARB
8328564	F-7B-057179	4213333698	103 108		NORTH PIONEER UNIT #2203	EASTLAND COUNTY REGUL	1.0	ODESSA NATURAL GA
-CROMERA OIL & GAS CO			RECEIVED:	03/21/83	JA: TX			
8328589	F-7B-059228	4241734628	102-4		JOHN SEDWICK #9	CROMERA (MORAN)	150.0	
-D & B PETROLEUM INC			RECEIVED:	03/21/83	JA: TX			
8328872	F-10-064381	4248330888	108		BURKS #1 (098552)	EAST PANHANDLE	14.0	HIGH PLAINS NATUR
8328865	F-10-064372	4248330952	108		CAROL #1 (098946)	EAST PANHANDLE	7.0	HIGH PLAINS NATUR
8328537	F-10-051999	4248300000	103		CHAD #1	PANHANDLE EAST	0.0	WARREN PETROLEUM
8328868	F-10-064375	4248330937	108		CHRISTIAN #1 (098942)	EAST PANHANDLE	4.0	HIGH PLAINS NATUR
8328867	F-10-064374	4248330897	108		JILL #1 (098944)	EAST PANHANDLE	6.0	HIGH PLAINS NATUR
8328870	F-10-064379	4248330902	108		JUDY #1 (098555)	EAST PANHANDLE	6.0	HIGH PLAINS NATUR
8328869	F-10-064378	4248330953	108		KENDA #1 (098936)	EAST PANHANDLE	3.0	HIGH PLAINS NATUR
8328866	F-10-064373	4248330916	108		KORBIN #1 (098943)	EAST PANHANDLE	4.0	HIGH PLAINS NATUR
8328871	F-10-064380	4248330900	108		MECHEK #1 (098553)	EAST PANHANDLE	3.0	HIGH PLAINS NATUR
8328536	F-10-051997	4248300000	103		RACHEL #1	PANHANDLE EAST	0.0	WARREN PETROLEUM
8328873	F-10-064382	4248330903	108		SANDRA #1 (098550)	EAST PANHANDLE	4.0	HIGH PLAINS NATUR
-D J PRODUCTION INC			RECEIVED:	03/21/83	JA: TX			
8328579	F-10-058493	4223300000	103		BOOGER BEAR #2	EAST PANHANDLE LOWER	182.5	DIAMOND SHAMROCK
-DELTA PETROLEUM & ENERGY CORP			RECEIVED:	03/21/83	JA: TX			
8328573	F-03-057862	4204130628	102-2		CARROLL UNIT #1 WELL #1	KURTEN (WOODBINE "E")	0.0	FERGUSON CROSSING
-DIAMOND SHAMROCK CORPORATION			RECEIVED:	03/21/83	JA: TX			
8328505	C-10-026877	4229500000	108-ER		BASIE DUKE 2-727	BRADFORD	7.0	
8328522	F-10-048250	4242100000	108-ER		DODLEY #3	TEXAS HUGOTON	12.8	PANHANDLE EASTERN
8328535	F-10-051908	4221100000	108-ER		WILLIAM DALE NIX "R" #1-89	CANADIAN NW	7.0	NORTHERN NATURAL
-DISCORBIS OIL CO			RECEIVED:	03/21/83	JA: TX			
8328692	F-04-062661	4213136083	102-4		MARY KATE HUNTER #1 103461	SEJITA N E (5400)	96.0	VALLEY GAS TRANSM
-DISCOVERY OPERATING INC			RECEIVED:	03/21/83	JA: TX			
8328729	F-08-063264	4232931078	103		SYHATSCHK #1	SPRADERRY (TREND AREA	25.2	PHILLIPS PETROLEU
-DMC OIL & GAS PRODUCERS			RECEIVED:	03/21/83	JA: TX			
8328749	F-09-063520	4249700000	102-4		MCKAY-KROEGER #1	GIRARD STRAWN	20.0	TEXAS UTILITIES F
-DONNIE D SMITH			RECEIVED:	03/21/83	JA: TX			
8328737	F-7B-063358	4208300000	108		BARR J #1	COLEMAN COUNTY REGULA	0.0	UNION TEXAS PETRO
-DYNE OIL & GAS INC			RECEIVED:	03/21/83	JA: TX			
8328652	F-10-061676	4206530700	108		BURNETT #1 LEASE NO 04464	PANHANDLE CARSON COUN	0.0	PHILLIPS PETROLEU
8328653	F-10-061677	4206530773	108		BURNETT #2 LEASE NO 04464	PANHANDLE CARSON COUN	0.0	PHILLIPS PETROLEU
8328654	F-10-061678	4206530774	108		BURNETT #3 LEASE NO 04464	PANHANDLE CARSON COUN	0.0	PHILLIPS PETROLEU
8328655	F-10-061679	4206530807	108		BURNETT #5 LEASE NO 04464	PANHANDLE CARSON COUN	0.0	PHILLIPS PETROLEU
8328650	F-10-061674	4223330679	108		SAMUEL #1 WELL LEASE NO 04464	PANHANDLE HUTCHINSON	0.0	PHILLIPS PETROLEU
8328649	F-10-061673	4206530779	108		SAMUEL "A" #1 LEASE NO 04700	PANHANDLE HUTCHINSON	0.0	PHILLIPS PETROLEU
8328648	F-10-061672	4223330738	108		SAMUEL "A" #2 LEASE NO 04700	PANHANDLE HUTCHINSON	0.0	PHILLIPS PETROLEU
8328651	F-10-061675	4206530872	108		SAMUEL "B" #2 LEASE NO 04664	PANHANDLE HUTCHINSON	0.0	PHILLIPS PETROLEU
-EL PASO NATURAL GAS COMPANY			RECEIVED:	03/21/83	JA: TX			
8328511	F-10-041022	4217923699	108-PB		COUSINS #1	PANHANDLE - WEST	14.0	EL PASO NATURAL G
8328518	F-10-047501	4217923702	108-PB		DARSEY #2	PANHANDLE WEST	0.0	EL PASO NATURAL G
8328549	F-10-054499	4217923711	108-PB		HANNER X #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8328548	F-10-054313	4217923712	108-PB		HERRINGTON #1	PANHANDLE - WEST	14.0	EL PASO NATURAL G
8328541	F-10-052825	4217923713	108-PB		HESS #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8328576	F-10-058236	4217923728	108-PB		JOHNSTON #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8328542	F-10-052827	4217923735	108-PB		MAGEE #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8328506	F-10-029850	4208726179	108-PB		MCDOWELL #5	PANHANDLE EAST-BROWN	17.0	EL PASO NATURAL G
8328509	F-10-037519	4217923744	108-PB		REEVES #1	PANHANDLE WEST	16.0	EL PASO NATURAL G
-EL RAM INC			RECEIVED:	03/21/83	JA: TX			
8328847	F-09-064280	4249732440	103		BOYDSTON #2	BOONESVILLE	300.0	NATURAL GAS PIPEL
-ESENJAY PETROLEUM CORP			RECEIVED:	03/21/83	JA: TX			
8328764	F-04-063596	4235532067	103		B LISK #2	WILDCAT	0.0	ESPERANZA TRANSMI
-EXXON CORPORATION			RECEIVED:	03/21/83	JA: TX			
8328832	F-06-064164	4236531280	103	107-TF	A L DAVIS (CFEC UNIT #561) #3	CARTHAGE (COTTON VALL	355.0	TEJAS GAS CORP
8328828	F-06-064142	4222732958	102-4		EUNICE HOMAN #3	MOORE (DEEP FSLM)	23.0	EL PASO NATURAL G
8328740	F-08-063454	4237134051	103		FORT STOCKTON #1011	FORT STOCKTON	4.0	HUECCES CO
8328640	F-08-061422	4210332902	103		J B YUBB #3DL	SAND HILLS (TUBB)	15.0	ODESSA NATURAL GA
8328812	F-08-064042	4200333181	103		J S MEANS A/C 4 8328	MEANS SOUTH (WOLFCAMP	15.0	PHILLIPS PETROLEU
8328789	F-08-062944	4200333345	103		J S MEANS A/C 4 8332	MEANS SOUTH (WOLFCAMP	15.0	PHILLIPS PETROLEU
8328827	F-04-064126	4227331702	103		K R BORREGOS 583-F (103027)	BORREGOS (P-9 UPPER)	484.0	ARMCO STEEL CORP
8328754	F-08-063555	4200333376	103		MEANS/SAN ANDRES/UNIT #562	MEANS	15.0	PHILLIPS PETROLEU
8328664	F-08-062072	4200333035	103		MEANS/SAN ANDRES/UNIT #9624	MEANS	15.0	PHILLIPS PETROLEU
8328543	F-04-053081	4224700000	108-ER		NICEFORD PENA 7 (066945)	KELSEY (K-4 SOUTH)	7.0	TRUNKLINE GAS CO
8328704	F-08-062915	4200333350	103		R M MEANS #617	MEANS (QUEEN SAND)	15.0	PHILLIPS PETROLEU
8328613	F-08-064045	4200333384	103		R M MEANS #751	MEANS (QUEEN SAND)	15.0	PHILLIPS PETROLEU
8328753	F-08-063552	4200333381	103		R M MEANS #821	MEANS (QUEEN SAND)	15.0	PHILLIPS PETROLEU
8328696	F-7C-062768	4210534082	103	107-TF	STATE UNIVERSITY EX #1	INGHAM (CANYON 6400)	127.0	
-FAGAN - O'CONNOR INC			RECEIVED:	03/21/83	JA: TX			
8328830	F-02-064158	4239131584	103		FAGAN #1 ID (NA)	MCFADDIN (5470)	59.9	LONE STAR GAS CO
-FAIR ENERGY			RECEIVED:	03/21/83	JA: TX			
8328840	F-01-064243	4216300000	102-2		F I BOOTH "D" #1	PEARSALL AUSTIN CHALK	0.0	CENTRAL ENERGY TR

JD NO	JA DKT	API NO	D SEC(1) SEC(2) WELL NAME	FIELD NAME	PROD	PURCHASER
-FLORIDA GAS EXPLORATION COMPANY			RECEIVED: 03/21/83 JA: TX			
8328558	F-7C-055955	4243532793	103 107-TF FLORENCE-HAMILL 26-#1	PHYLLIS SONORA	0.0	INTRATEX GAS CO
-FLYNN ENERGY CORP			RECEIVED: 03/21/83 JA: TX			
8328590	F-02-059271	4212331210	102-4 103 DIEBEL GAS UNIT #1	DIEBEL (YEGUA 4800) F	73.0	TEXAS EASTERN TRA
-G J S OPERATING			RECEIVED: 03/21/83 JA: TX			
8328800	F-09-063961	4207700000	102-4 DICKEY LEASE #1	DEER CREEK (ISRAEL 50	12.6	FAGADAU ENERGY CO
-GAS DEVELOPMENT CORP			RECEIVED: 03/21/83 JA: TX			
8328620	F-7C-060665	4241330436	102 WILLIAMS-SHELL "B1" #1	ELDORADO SOUTH (CANYO	12.8	NORTHERN NATURAL
-GEITY OIL COMPANY			RECEIVED: 03/21/83 JA: TX			
8328722	F-8A-063147	4216500000	108 GNM (SAN ANDRES) UNIT #402	G M K (SAN ANDRES)	2.0	PHILLIPS PETROLEU
8328556	F-06-055646	4236500000	103 107-TF JEANETTE HARRELL #1	CARTHAGE (COTTON VALL	0.0	UNITED GAS PIPELI
8328723	F-8A-063148	4211500000	108 M H MALONE #1	GIN (SPRAYDERRY)	3.0	PHILLIPS PETROLEU
8328712	F-8A-063041	4207900000	108 XIT UNIT III #114	LEVELLAND SAN ANDRES	1.0	CITIES SERVICE CO
-GHR ENERGY CORP			RECEIVED: 03/21/83 JA: TX			
8328593	F-04-059491	4250531529	102-4 103 JUANA #1	FRANCISCO (LOBO 9500)	375.0	TENNESSEE PIPELIN
8328647	F-04-061633	4250531597	102-4 M FLORES #2	FLORES W (PERDIDO) PR	500.0	NATURAL GAS PIPEL
8328697	F-04-062777	4250531514	102-4 107-TF SYLVESTER G U #1	GUTIERREZ (LOBO 10,00	50.0	NATURAL GAS PIPEL
-GRAHAM ENERGY LTD			RECEIVED: 03/21/83 JA: TX			
8328609	F-7C-060374	4235300000	102-4 WALKER B-2	SILVER (ODOM)	1440.0	SUN GAS CO
-GRAHAM PRODUCTION CO			RECEIVED: 03/21/83 JA: TX			
8328663	F-03-062060	4248132231	102-4 HODGES ESTATE #1	WHARTON EAST (FRID 45	187.0	HOUSTON PIPE LINE
-GRO-TEX			RECEIVED: 03/21/83 JA: TX			
8328641	F-7B-064261	4204933353	103 E L MURPHY #2	BROWN COUNTY REGULAR	69.0	SIOUX PIPELINE CO
-GULF AMERICAN OIL & GAS CO			RECEIVED: 03/21/83 JA: TX			
8328594	F-02-059561	4246931932	103 RIVERSIDE COTTON FARMS "A"-14	PRIDHAM LAKE (4300')	90.0	VALERO TRANSMISSI
8328574	F-02-057958	4246931926	103 WILDEN A-11	PRIDHAM LAKE	108.0	VALERO TRANSMISSI
-GULF OIL CORPORATION			RECEIVED: 03/21/83 JA: TX			
8328588	F-10-059224	4221131430	102-4 103 CANADIAN-STATE #1-132	HONE RANCH SOUTH-	570.0	
8328507	F-10-035528	4208700000	108-ER FRANKS H E "E" #1	PANHANDLE EAST	3.0	HIGH PLAINS NATUR
8328586	F-10-059199	4239330902	102-4 103 JAMESON #2-35	RED DEER (WOLF CAMP LI	0.0	
8328587	F-10-059222	4239330000	108-PB JOHN HAGGARD #22	QUINDUHO	0.0	NATURAL GAS PIPEL
8328535	F-10-064180	4229531209	103 PEARL WHEAT #1-765	PEERY (CLEVELAND)/CLE	0.0	TRANSWESTERN PIPE
8328635	F-10-064180	4229531208	103 PEARL WHEAT #5-765	PEERY (CLEVELAND) CLE	0.0	TRANSWESTERN PIPE
8328657	F-08-061765	4238931275	103 PERKINS D E #2	SCOTT (DELAWARE)	21.0	
8328626	F-09-060848	4218130855	103 PRIVETTE-REICH #1	SIMPSON (DAVIS 9100)	0.0	
8328557	F-04-055839	4250531466	103 107-TF S URIBE #8	J C MARTIN (LOBO)	0.0	TENNESSEE GAS PIP
-H & S OPERATING INC			RECEIVED: 03/21/83 JA: TX			
8328743	F-09-063467	4207700000	102-4 COFFIELD #1	COFFIELD (CONGL)	36.5	TUFCO
8328742	F-09-063466	4207700000	102-4 COLEMAN HEIRS #1	COLEMAN (CONGL)	120.0	TUFCO
8328772	F-09-063724	4223700000	102-4 OHL 275 #1	UNDESIGNATED	85.0	TEXAS UTILITIES F
-H L BROWN JR			RECEIVED: 03/21/83 JA: TX			
8328643	F-10-061486	4248330614	108 LUNSFORD 093151	LOTT RANCH (MORROW UP	37.1	MICHIGAN WISCONSI
-H-M OIL CO			RECEIVED: 03/21/83 JA: TX			
8328695	F-04-062740	4213136112	102-4 103 ARCHER PARR, TRUST #1	THOMAS LOCKHART (2600	0.0	VALERO TRANSMISSI
-HARRY E NELSON			RECEIVED: 03/21/83 JA: TX			
8328656	F-03-061697	4233900000	108 J W CALFEE #1 ID NO 89565	WILLIS WEST	18.0	MORGAS CO
-HENDERSON CLAY PRODUCTS INC			RECEIVED: 03/21/83 JA: TX			
8328610	F-06-060382	4240131525	102-2 107-TF ROGERS ESTATE GAS UNIT	CYRIL (COTTON VALLEY)	704.0	B & A PIPE LINE C
8328770	F-06-063109	4240131559	102-4 YANDLE -B- #1	RUFUS (TRAVIS PEAK 10	36.0	HENDERSON CLAY PR
-HERITAGE ENERGY CORP			RECEIVED: 03/21/83 JA: TX			
8328693	F-06-062669	4240131240	103 107-TF MCHANEY #1 PERMIT #126077	OAK HILL	0.0	UNITED GAS PIPELI
-HERITAGE OPERATING CO INC			RECEIVED: 03/21/83 JA: TX			
8328632	F-04-061109	4221500000	102-4 HALE SCHALE BEN #2	SCHALEBEN (10060 VICK	0.0	TENNESSEE GAS PIP
-HEXAGON OIL & GAS INC			RECEIVED: 03/21/83 JA: TX			
8328774	F-7B-063744	4236332966	103 BOARMAN #1C	MINERAL WELLS (L STRA	11.0	SOUTHWESTERN GAS
8328775	F-7B-063745	4236332966	103 BOARMAN #1C	MINERAL WELLS (EAST C	18.0	SOUTHWESTERN GAS
8328874	F-7B-064386	4236732077	102-4 MCCLILLOH #1	MOBY DICK (CONGL)	182.0	SOUTHWESTERN GAS
-HILL JOHN H			RECEIVED: 03/21/83 JA: TX			
8328826	F-7C-064218	4243532827	103 107-TF HILL-EDWIN S MAYER JR "EE-1"	SAWYER (CANYON)	343.1	LONE STAR GAS CO
8328825	F-7C-064117	4243532781	103 107-TF HILL-MINNIE R ALDWELL TRUST "E-1"	ALDWELL RANCH (CANYON	467.2	LONE STAR GAS CO
-HLH PETROLEUM CORP			RECEIVED: 03/21/83 JA: TX			
8328584	F-7B-058738	4225332276	102-4 H BONEY #1-15 (102142)	REN (CANYON REEF)	415.0	CONOCO INC
-HNG OIL COMPANY			RECEIVED: 03/21/83 JA: TX			
8328512	F-08-062452	4237133111	102-2 103 ALLISON "20" #1	ALLISON RANCH (WOLFCA	438.0	
8328726	F-03-063206	4224531406	102-4 103 BLAU-PAETZ #6	SUGGESTED STOWELL SUL	20.0	WINNIE PIPE LINE
8328752	F-7C-063545	4243500000	103 107-TF SHURLEY "142" #5	SAWYER (CANYON)	250.0	INTRATEX GAS CO
8328661	F-7C-061954	4243500000	103 107-TF SHURLEY "147" #5	SAWYER (CANYON)	0.0	INTRATEX GAS CO
8328552	F-04-054875	4247933094	102-4 103 VAQUILLAS RANCH #6451	CARR (LOBO)	130.0	HOUSTON PIPE LINE
8328552	F-04-054875	4247933094	107-TF VAQUILLAS RANCH #6451	CARR (LOBO)	130.0	HOUSTON PIPE LINE
-HOLLOWAY OIL CO			RECEIVED: 03/21/83 JA: TX			
8328779	F-01-063823	4249331152	102-4 L G ARNOLD #1	CINDY ANN (AUSTIN CHA	0.0	J L DAVIS
-HUFO PRODUCTION CORP			RECEIVED: 03/21/83 JA: TX			
8328531	F-10-050081	4206530812	103 BURNETT-25 #8	PANHANDLE CARSON COUN	0.0	PANHANDLE EASTERN
-HUGHES & HUGHES			RECEIVED: 03/21/83 JA: TX			
8328732	F-04-063253	4235531374	102-4 TEXAS SCOTTISH RITE HOSPITAL "A" -2	AQUA DULCE (7850)	365.0	HOUSTON PIPE LINE
-HUMBLE EXPLORATION CO INC			RECEIVED: 03/21/83 JA: TX			
8328805	F-03-063990	4214931295	102-2 103 FRANCIS WITHERS #1	GIDDINGS (AUSTIN CHAL	0.0	PHILLIPS PETROLEU
8328804	F-03-063983	4228731148	102-2 103 SHALIMAR #1	GIDDINGS (BUDA)	0.0	PHILLIPS PETROLEU
-IKE LOVELADY INC			RECEIVED: 03/21/83 JA: TX			
8328578	F-7C-058291	4241331165	103 107-TF UNIVERSITY "22" #2	UNIVERSITY 54(CANYON)	365.0	PRODUCER'S GAS CO
-INDIAN WELLS OIL CO			RECEIVED: 03/21/83 JA: TX			
8328771	F-7C-063720	4241331120	103 107-TF PAGE RANCH 1-1	ELDORADO (CANYON)	0.0	NORTHERN NATURAL
-INTERNATIONAL OIL & GAS CORP			RECEIVED: 03/21/83 JA: TX			
8328554	F-7C-059468	4210533610	102-4 103 L B COX JR #2	DUDLEY	0.0	INTRASTATE GATHER
-INTERNATIONAL WESTERN OIL CORP			RECEIVED: 03/21/83 JA: TX			
8328565	F-7C-057198	4232730434	102-4 U E ROGERS C-2 RRC ID #09526	S TUCKMAR (STRAWN)	25.0	SUN GAS CO
-J H HUBER CORPORATION			RECEIVED: 03/21/83 JA: TX			
8328514	F-10-044254	4223300000	108-ER PREMIER A-4	WEST PANHANDLE	19.0	PANHANDLE EASTERN
8328811	F-10-064026	4223331476	103 WEST BURNETT "RA" #21	PANHANDLE	15.0	GETTY OIL CO
-JACK FROST			RECEIVED: 03/21/83 JA: TX			
8328569	F-7B-057355	4244731685	102-4 RECORD -B- #2-B (082077)	PROST (TANNEHILL 820)	142.0	H S T GATHERING C
-JAMES M FORGOTSON			RECEIVED: 03/21/83 JA: TX			
8328559	F-06-056197	4245900000	103 107-TF CARLOS DAVIS GAS #2	ROSEWOOD (COTTON VALL	552.0	ROSEWOOD TRANSPOR
8328533	F-06-050732	4245900000	103 107-TF M G MELL GAS UNIT WELL #3	ROSEWOOD (COTTON VALL	0.0	ROSEWOOD TRANSPOR
8328687	F-06-062557	4245900000	103 107-TF VERA ROSS GAS UNIT WELL #2	ROSEWOOD (COTTON VALL	360.0	ROSEWOOD TRANSPOR
-JOHN A NEWMAN			RECEIVED: 03/21/83 JA: TX			
8328598	F-7B-059935	4208300000	103 GEO RAE 4-A	VALERA (MORRIS)	0.0	LONE STAR GAS CO
-JOHN L COX			RECEIVED: 03/21/83 JA: TX			
8328607	F-7C-060274	4238332336	103 ALDWELL #2	SPRABERRY (TREND AREA	10.0	EL PASO NATURAL G
8328570	F-08-057378	4231732556	103 INEZ & WOODY #1-X (PKC #21684)	SPRABERRY (TREND AREA	10.0	NORTHERN GAS PROD
8328534	F-08-050985	4231700000	103 INEZ WOODY B #2-X	SPRABERRY (TREND AREA	5.0	ALPINE OIL CO
8328606	F-08-060270	4231732591	103 KENNETH COX #3 RRC #21575	SPRABERRY (TREND AREA	10.0	NORTHERN GAS PROD
-KEN PETROLEUM CORP			RECEIVED: 03/21/83 JA: TX			
8328628	F-02-060889	4223931805	102-4 CALLAWAY #1	TEXANA NORTH (FRIO 60	300.0	VICTORIA GAS CORP

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328672	F-03-062324	4246132275	103		NICHOLS #1	DADOVAL (7200)	150.0	VICTORIA GAS CORP
8328623	F-02-060787	4246931829	103		PARENICA #2	PLACEDO (5200)	100.0	LONE STAR GAS CO
-KERR-MCGEE CORPORATION								
8328508	F-10-035563	4229500000	108-ER		03/21/83 JA: TX	KIOWA CREEK	13.0	NORTHERN NATURAL
-KIMBALL PRODUCTION COMPANY								
8328642	F-08-061678	4236900000	107-DP		03/21/83 JA: TX	MIWA (ELLENBURGER)	1000.0	INTRATEX GAS CO
-KLH OIL & GAS INC								
8328629	F-7B-064146	4204933346	102-4		0 B FOMBY #20	CHAMBERS (CONGL)	94.0	EL PASO HYDROCARB
-L W LESIKAR								
8328630	F-7B-060908	4236732176	102-4		03/21/83 JA: TX	LESIKAR (ATOKA)	113.0	NATURAL GAS PIPEL
-LACY & BYRD INC								
8328611	F-7C-060386	4246100000	102-4		03/21/83 JA: TX	POWELL	84.0	MOBIL PRODUCING T
-LOCKER PETROLEUM INC								
8328733	F-7B-063286	4208332918	102-4		03/21/83 JA: TX	GLEN COVE S (PALO PIN	56.0	UNION TEXAS PETRO
-MARAN OIL CO								
8328603	F-02-060070	4239100000	107-PE		03/21/83 JA: TX	FAGAN FIELD	130.0	LONE STAR GAS CO
8328602	F-02-060068	4239100000	107-PE		03/21/83 JA: TX	FAGAN FIELD	110.0	LONE STAR GAS CO
-MARSHALL EXPLORATION INC								
8328646	F-06-061550	4200131347	102-4	103	03/21/83 JA: TX	WILDCAT (RODESSA)	185.0	ESPERANZA PIPELIN
8328604	F-06-060198	4240131490	103	107-TF	03/21/83 JA: TX	WILDCAT (COTTON VALLE	220.0	TEXAS UTILITIES F
8328551	F-06-064851	4236531090	102-4	103	03/21/83 JA: TX	BELLE BOWER (PETTIT)	80.0	UNITED GAS PIPELI
8328782	F-06-063844	4236531362	108		03/21/83 JA: TX	BELLE BOWER (PALUXY U	12.0	TENNESSEE GAS PIP
8328517	F-06-046880	4220330531	108-ER		03/21/83 JA: TX	ELYSIAN M (COTTON VAL	18.0	NATURAL GAS PIPEL
-MARTEX RESOURCES INC								
8328792	F-7C-063925	4239932329	103		03/21/83 JA: TX	SERVICE (CROSSCUT)	4.0	VALERO TRANSMISSI
-MAY PETROLEUM INC								
8328747	F-08-063503	4243131121	102-4		03/21/83 JA: TX	HORWOOD (WOLFCAMP 562	21.9	INTRATEX GAS CO
-MCIVER INC								
8328550	F-7B-054517	4208333009	102-4		03/21/83 JA: TX	ELLIS FRY (PENDING)	54.0	LONE STAR GAS CO
8328735	F-7B-063319	4208333197	102-4		03/21/83 JA: TX	TRICKHAM CROSSCUT	0.0	LONE STAR GAS CO
-MCMILLAN OPERATING CO								
8328566	F-7B-057281	4208332997	102-4		03/21/83 JA: TX	MATHEWS (GARDNER)	135.0	ODESSA NATURAL CO
-MCMORAN EXPLORATION CO								
8328629	F-02-060905	4270330265	102-4		03/21/83 JA: TX	BLOCK 630-L (PROPOSED	24.0	MATAGORDA PIPE LI
-MCMURREY PETROLEUM INC								
8328591	F-06-059399	4240100000	102-4	103	03/21/83 JA: TX	WILDCAT	150.0	TEXAS UTILITIES F
-MCR OIL CORP OF TEXAS								
8328636	F-10-061335	4221131494	103		03/21/83 JA: TX	CANADIAN S E (DOUGLAS	150.0	ARKANSAS LOUISIAN
-MCZ INC								
8328516	F-03-046843	4204130635	107-TF		03/21/83 JA: TX	KURTEN (GEORGETOWN) F	900.0	FERGUSON CROSSING
-MERCURY EXPLORATION CO								
8328669	F-7B-062194	4205933421	102-4		03/21/83 JA: TX	BATTLEFIELD (GRAY SAN	20.0	LONE STAR GAS CO
-MEMBOURNE OIL COMPANY								
8328728	F-10-063216	4235731227	103		03/21/83 JA: TX	SHARE S E (MORROW UPP	193.0	CALICHE PIPELINE
8328727	F-10-063215	4219330849	103		03/21/83 JA: TX	SHAPLEY (MORROW)	452.0	CALICHE PIPELINE
8328703	F-10-062914	4229531229	102-4	103	03/21/83 JA: TX	SKUNK CREEK (HEPLER)	51.0	TRANSWESTERN PIPE
-MITCHELL ENERGY CORPORATION								
8328856	F-09-064343	4249700000	108		03/21/83 JA: TX	BOONSVILLE (BEND CONG	0.0	SOUTHWESTERN GAS
8328850	F-09-064345	4249700000	108		03/21/83 JA: TX	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
8328860	F-09-064349	4249700000	108		03/21/83 JA: TX	CHICO (EAST)	0.0	NATURAL GAS PIPEL
8328585	F-04-059092	4248930688	103	107-TF	03/21/83 JA: TX	LA SAL VIEJA (GETS SA	0.0	TENNESSEE GAS PIP
8328857	F-09-064344	4249700000	108		03/21/83 JA: TX	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
8328503	F-09-015938	4249700000	108-ER		03/21/83 JA: TX	BOONSVILLE (BEND CONG	8.0	NATURAL GAS PIPEL
8328859	F-09-064347	4249700000	108		03/21/83 JA: TX	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
8328625	F-7C-060830	4243500000	103	107-TF	03/21/83 JA: TX	SANYER (CANYON)	1350.0	VALERO TRANSMISSI
8328562	F-7B-056617	4236700000	108-ER		03/21/83 JA: TX	BETHESDA SW (STRAWN)	0.0	SOUTHWESTERN GAS
8328528	F-09-049189	4223700000	108-ER		03/21/83 JA: TX	JACKSBORO (S ATOKA CO	10.9	SOUTHWESTERN GAS
8328765	F-09-063611	4249732363	103		03/21/83 JA: TX	ALVORD (ATOKA CONGLOM	137.3	NATURAL GAS PIPEL
-MONTERO OPERATING INC								
8328635	F-08-061274	4235331328	103		03/21/83 JA: TX	JAMESON NORTH (STRAWN	0.0	SUN EXPLORATION &
-MONTERREY PETROLEUM CORP								
8328635	F-04-061220	4247932939	102-2		03/21/83 JA: TX	GOLD RIVER NORTH (OLM	0.0	SEAGULL PIPELINE
8328639	F-04-061360	4247932939	107-TF		03/21/83 JA: TX	GOLD RIVER NORTH (OLM	0.0	SEAGULL PIPELINE
8328634	F-04-061222	4247909842	102-2	107-TF	03/21/83 JA: TX	GOLD RIVER NORTH (OLM	0.0	SEAGULL PIPELINE
-MORROW RESOURCES INC								
8328641	F-7C-061441	4245131029	102-2	103	03/21/83 JA: TX	K W B (STRAWN)	0.0	LONE STAR GAS CO
8328689	F-7C-062566	4245100000	102-2	103	03/21/83 JA: TX	K W B (CANYON)	0.0	LONE STAR GAS CO
8328721	F-7C-063102	4245130997	103	102-0	03/21/83 JA: TX	K W B (STRAWN)	0.0	LONE STAR GAS CO
8328758	F-7C-063576	4245131104	102-2	103	03/21/83 JA: TX	K W B (STRAWN)	0.0	LONE STAR GAS CO
-MUELLER ENGINEERING CORP								
8328513	F-04-044245	4213100000	108-ER		03/21/83 JA: TX	NEELY (BRUNI 1900')	3.0	NATURAL GAS PIPEL
8328546	F-04-053554	4213100000	108-ER		03/21/83 JA: TX	NEELY	0.0	NATURAL GAS PIPEL
-NORTH RIDGE CORP								
8328725	F-7B-063176	4213334379	102-4	103	03/21/83 JA: TX	RANGER NW (MARBLE FAL	0.0	PRISM ENTERPRISES
-NUGGET OIL CORP								
8328719	F-02-063087	4217531659	102-4		03/21/83 JA: TX	ANDER (560')	55.0	
8328705	F-02-062923	4217531673	102-4		03/21/83 JA: TX	ANDER	73.0	
8328706	F-02-062924	4217531672	102-4		03/21/83 JA: TX	ANDER (1400')	73.0	
-OGE DRILLING								
8328795	F-7C-063952	4243532755	103	107-TF	03/21/83 JA: TX	SANYER (CANYON)	73.0	INTRATEX GAS CO
8328796	F-7C-063953	4243500000	103	107-TF	03/21/83 JA: TX	SANYER (CANYON)	55.0	INTRATEX GAS CO
-OLSEN ENERGY INC								
8328763	F-08-063594	4237134036	103		03/21/83 JA: TX	ABELL (PERMIAN GENERA	81.4	NORTHERN NATURAL
-PALMER PETROLEUM INC								
8328667	F-06-062119	4240100000	102-3	107-TF	03/21/83 JA: TX	HENDERSON NORTH (COTT	650.0	LONE STAR GAS CO
-PARKER & PARSLEY INC								
8328607	F-7C-064002	4238332356	103		03/21/83 JA: TX	SPRABERRY (TREND AREA	0.0	PHILLIPS PETROLEU
8328636	F-08-064212	4231732637	103		03/21/83 JA: TX	SPRABERRY (TREND AREA	15.0	ADOBE OIL & GAS C
8328717	F-7C-063050	4238332354	103		03/21/83 JA: TX	BLOCK 49 (2450)	0.0	J L DAVIS
8328716	F-7C-063049	4238332349	103		03/21/83 JA: TX	BLOCK 49 (2450)	0.0	J L DAVIS
8328715	F-7C-063048	4238332355	103		03/21/83 JA: TX	PRICE (GRAYBURG)	0.0	J L DAVIS
-PATTERSON PETROLEUM INC								
8328711	F-03-063827	4214931426	102-2		03/21/83 JA: TX	GIDDINGS (AUSTIN CHAL	438.0	PHILLIPS PETROLEU
-PAUL DE CLEVA								
8328592	F-09-059436	4212130347	103		03/21/83 JA: TX	RHOME (MARBLE FALLS)	116.0	LONE STAR GAS CO
-PAYNE OIL FIELD CONSULTING & OPER								
8328736	F-7B-063327	4209330948	103		03/21/83 JA: TX	COMMANCHE COUNTY REGU	6.0	LONE STAR GAS CO
-PEERLESS DRILLING CO								
8328713	F-7B-063044	4236732321	102-4		03/21/83 JA: TX	H & R (BEND CONGL)	19.0	SOUTHWESTERN GAS
-PEWZOL PRODUCING COMPANY								
8328520	F-04-048150	4221501845	108-ER		03/21/83 JA: TX	SAN CARLOS (FF-18)	18.0	TRUNKLINE GAS CO
8328670	F-06-062204	4236531457	103	107-TF	03/21/83 JA: TX	CARTHAGE/COTTON VALLE	475.0	UNITED GAS PIPE L
-PETRO-LEWIS CORPORATION								
8328501	F-08-10609	4210300000	103		03/21/83 JA: TX	SAND HILLS (MCKNIGHT)	135.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328502	F-08-10510	4210300000	103		J B TUBB-STATE #6	SAND HILLS (MCKNIGHT)	135.0	EL PASO NATURAL G
8328555	F-01-055548	4247900000	103	107-TF	O S PETTY #4-25	CATARINA S W (OLMOS)	40.0	VALERO TRANSMISSI
8328515	F-04-046510	4247900000	103	107-TF	O S PETTY B #1-20	DOS HERMANOS WEST (OL	16.4	VALERO TRANSMISSI
8328572	F-04-057797	4247900000	103	107-TF	O S PETTY LEASE #6-17	DOS HERMANOS WEST (OL	43.1	VALERO TRANSMISSI
-PETROLEUM CORP OF DELAWARE				RECEIVED:	03/21/83	J A TX		
8328644	F-08-063514	4230130215	103		BASS #6 02-L	WHEAT (CHERRY CANYON)	12.7	
-PETROLEUM EQUITIES CORP				RECEIVED:	03/21/83	J A TX		
8328802	F-78-063977	4244700000	103		G T GOBER #1	GOBER (MARBLE FALLS C	55.0	LONE STAR GAS CO
-PHILLIPS PETROLEUM COMPANY				RECEIVED:	03/21/83	J A TX		
8328801	F-10-063968	4219500000	108		RUBY #1	TEXAS - HUGOTON	0.0	MICHIGAN MISCORNSI
8328544	F-7C-053263	4243532573	103	107-TF	WARD C #8	SONORA (CANYON UPPER)	83.0	INTRATEX GAS CO
-PRODECO EXPLORATION INC				RECEIVED:	03/21/83	J A TX		
8328530	F-03-049912	4204130659	102-4		J B BEARD UNIT 1 WELL 1	KURTEN (GEORGETOWN)	153.3	PRODUCER'S GAS CO
-PRODUCTION LEASE SERVICE INC				RECEIVED:	03/21/83	J A TX		
8328580	F-7C-058953	4225351420	103		J W FIELD #1	ARDEN S (CANYON SD LD	12.0	ESPERANZA PIPELIN
-PRUDENTIAL DRILLING CO				RECEIVED:	03/21/83	J A TX		
8328833	F-03-064175	4207100000	102-4		ANN MCGOUGH #2 RRC #101582	ELWOOD (DISCORBIS)	500.0	HOUSTON PIPELINE
-PYRON EXPLORATION & DRILLING CORP				RECEIVED:	03/21/83	J A TX		
8328560	F-09-056298	4250335720	102-4		BRASHEARS #2	GRAHAM NORTH (MARBLE	36.0	SOUTHWESTERN GAS
-QUEST PETROLEUM INC				RECEIVED:	03/21/83	J A TX		
8328823	F-78-064088	4236333017	103		RHODES RANCH #1	J V T (STRAWN 2400')	150.0	TEXAS UTILITIES F
-R M ENERGY CORP				RECEIVED:	03/21/83	J A TX		
8328707	F-78-062934	4208333216	102-4		SEALY-SMITH #1	J R F (GRAY SAND LOWE	0.0	PERMIAN CORP
-R D OSTROM				RECEIVED:	03/21/83	J A TX		
8328718	F-06-063079	4240100000	102-4	103	WARNER ESTATE #1	OAK HILL S (COTTON VA	365.0	TEXAS EASTERN TRA
8328718	F-06-063079	4240100000	107-TF		WARNER ESTATE #1	OAK HILL S (COTTON VA	365.0	TEXAS EASTERN TRA
-R H ENGELKE				RECEIVED:	03/21/83	J A TX		
8328605	F-02-060222	4223731175	103		JOHN M BENNETT JR ETAL "B" #1	LASALLE	0.0	TENNESSEE GAS PIP
-RAILHEAD ENERGY CO				RECEIVED:	03/21/83	J A TX		
8328831	F-09-064160	4223734754	103		JONES LULA #1	GATES (ATOKA CONOLOME	20.0	LONE STAR GAS CO
-RELIANCE ENERGY & MINERALS CORP				RECEIVED:	03/21/83	J A TX		
8328791	F-03-063903	4205100000	102-2		BLACK LAKE #2	GIDDINGS/AUSTIN CHALK	0.0	FERGUSON CROSSING
-REYNOLDS DRLO CO & ENI EXPL CO				RECEIVED:	03/21/83	J A TX		
8328793	F-06-063927	4240131374	103	107-TF	ARNOLD-RUST UNIT 3 WELL #3	NORTH TATUM (COTTON V	0.0	UNITED GAS PIPE L
-RIDGE OIL CO				RECEIVED:	03/21/83	J A TX		
8328702	F-78-062913	4242933517	102-4	103	MORRIS #1	RANGER (BLACK LIME ME	16.2	COMPRESSOR RENTAL
-RIO PETROLEUM INC				RECEIVED:	03/21/83	J A TX		
8328581	F-10-066635	4217931167	103		BETH #1	PANHANDLE GRAY COUNTY	10.0	COLTEXO CORP
-RK PETROLEUM CO				RECEIVED:	03/21/83	J A TX		
8328798	F-08-063956	4231732622	103		JOHN WOODWARD #1-X	SPRABERRY (TREND AREA	29.2	NORTHERN GAS PROD
-RK PETROLEUM CORP				RECEIVED:	03/21/83	J A TX		
8328686	F-08-062476	4231700000	103		HOLLOWAY-HALL #4	SPRABERRY (TREND AREA	0.0	NORTHERN NATURAL
-ROCKWOOD RESOURCES INC				RECEIVED:	03/21/83	J A TX		
8328595	F-02-059652	4223931584	102-4		CALAWAY #1	SHANADO EAST (6450) PR	0.0	LONE STAR GAS CO
8328730	F-02-063250	4246931918	103		CRAIG HEIRS #1	PRIDHAM LAKE (4200)	0.0	HOUSTON PIPELINE
8328731	F-02-063251	4223931810	102-4		JACKSON #1	SANDY CREEK (FRIO 555	0.0	LONE STAR GAS CO
-ROYAL OIL & GAS CORPORATION				RECEIVED:	03/21/83	J A TX		
8328681	F-01-062434	4217731353	102-4		R & KLEIMANN #1	PEACH CREEK (AUSTIN C	100.0	SOUTH CEN-TEX GAS
-RUTHERFORD OIL CORP				RECEIVED:	03/21/83	J A TX		
8328748	F-02-063519	4205731202	102-4		PATRICK H WELDER #5-L	BARGE CANAL	180.0	HOUSTON PIPE LINE
-S K TUTTILL & B J BARBEE				RECEIVED:	03/21/83	J A TX		
8328673	F-09-062366	4207700000	102-4		BUTLER #1-U	VASHTI N E (CADD0)	10.0	MID-STATE GAS COR
8328677	F-09-062370	4207700000	103		JONES #1-L	CLAY COUNTY REGULAR	10.0	MID-STATE GAS COR
8328674	F-09-062367	4207700000	102-4		JONES #1-U	VASHTI N E (CADD0)	10.0	MID-STATE GAS COR
8328678	F-09-062371	4207700000	103		PATTERSON #1	CLAY COUNTY REGULAR	10.0	MID-STATE GAS COR
8328676	F-09-062368	4207700000	102-4		RAY #1	VASHTI N E (CADD0)	10.0	MID-STATE GAS COR
8328675	F-09-062368	4207700000	102-4		STARNES #1	VASHTI N E (CADD0)	10.0	MID-STATE GAS COR
-SABINE PRODUCTION COMPANY				RECEIVED:	03/21/83	J A TX		
8328599	F-04-060050	4235500000	102-4	103	DOUGHTY #3-U	DOUGHTY (7450) FIELD	0.0	HOUSTON PIPE LINE
8328600	F-04-060051	4235500000	102-4	103	DOUGHTY 3-L	DOUGHTY (FRIO 9860)	0.0	HOUSTON PIPE LINE
-SANCHEZ-OBRIEN PETROLEUM CORP				RECEIVED:	03/21/83	J A TX		
8328631	F-02-061091	4229733203	102-4		BODDEN-FROST GAS UNIT #1 #3 WELL	FANT (WILCOX 9500) FI	500.0	UNITED TEXAS TRAN
-SAND SPRINGS OIL & GAS CO				RECEIVED:	03/21/83	J A TX		
8328773	F-10-063755	4223331509	103		J J PERKINS #26	PANHANDLE HUTCHINSON	15.0	PHILLIPS PETROLEU
-SANTA FE ENERGY PRODUCTS CO				RECEIVED:	03/21/83	J A TX		
8328688	F-03-062562	4205132349	102-2		JAMES LASTLY #5	GIDDINGS (AUSTIN-CHAL	0.0	FERGUSON CROSSING
-SANTA FE-WINDSOR PRODUCING CO				RECEIVED:	03/21/83	J A TX		
8328665	F-03-062080	4228700000	103		LEROY #1	GIDDINGS (AUSTIN CHAL	109.0	PERRY PIPELINE CO
-SCANDRILL INC				RECEIVED:	03/21/83	J A TX		
8328621	F-10-060703	4248331003	107-DP		BURRELL #1	GRAY STONE (MORROW SD	204.8	
8328612	F-10-060424	4248331018	102-4	103	DYSART #1	CAROLYN (GRANITE WASH	97.8	
-SHAR-ALAN OIL CO				RECEIVED:	03/21/83	J A TX		
8328608	F-03-060323	4231330368	102-4	103	CLAUDE E BAKER #1	MADISONVILLE NE (DEXT	0.0	LONE STAR GAS CO
-SHAMNEE PETROLEUM CORP				RECEIVED:	03/21/83	J A TX		
8328668	F-03-062139	4205132192	102-2		WHITENER "P" #1	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
-SHELL OIL CO				RECEIVED:	03/21/83	J A TX		
8328563	F-02-057085	4228531633	102-4		E T NEUHAUS #14	PROVIDENT CITY (WILCO	400.0	TEXAS EASTERN TRA
-SHREVEPORT EXPLORATION CO				RECEIVED:	03/21/83	J A TX		
8328766	F-06-063645	4240131467	102-4		JON D ROME #1	LAURA GRACE	128.0	EXXON GAS SYSTEM
-SO-TEX PETROLEUM, INC.				RECEIVED:	03/21/83	J A TX		
8328837	F-78-064214	4244132092	102-4		BURNS 1A #2	(FRY)	22.0	UNION TEXAS PETRO
8328864	F-78-064370	4244132196	102-4		BURNS 2A #2	(FRY)	0.0	UNION TEXAS PETRO
8328862	F-78-064368	4244132072	102-4		SOUTH CORNETT #1	(FRY)	0.0	UNION TEXAS PETRO
8328839	F-78-064216	4244132236	102-4		SOUTH CORNETT #2	SO-TEX (FRY)	87.0	UNION TEXAS PETRO
8328863	F-78-064369	4244132237	102-4		SOUTH CORNETT #3	(FRY)	48.0	UNION TEXAS PETRO
8328838	F-78-064215	4244132254	102-4		SOUTH CORNETT #4	(FRY)	36.5	UNION TEXAS PETRO
-SOUTH TEXAS DRILLING & EXPL INC				RECEIVED:	03/21/83	J A TX		
8328553	F-09-055210	4207700000	103		MAURICE LUTZ #1	BASS (CADD0)	36.0	AGADAU ENERGY CO
-STALLWORTH OIL & GAS INC				RECEIVED:	03/21/83	J A TX		
8328797	F-78-063955	4256700000	108		CARTWRIGHT #1 (035657)	LOKEY (ATOKA 1250)	18.0	LONE STAR GAS CO
8328529	F-06-049403	4242330532	102-4	103	EDMONSON OIL UT LEASE # NOT ASSIGNED	CHAPEL HILL (TRAVIS P	0.0	UNITED GAS PIPELI
8328519	F-06-047818	4242330532	102-4	103	POINTS OIL UT LEASE # NOT ASSIGNED	CHAPEL HILL (TRAVIS P	35.0	UNITED GAS PIPELI
-STEPHEN M ANDERSON ENERGY				RECEIVED:	03/21/83	J A TX		
8328658	F-7C-061774	4210534102	103	107-TF	M W WEST #1-22	OZONA (CANYON SAND)	75.0	LONE STAR GAS CO
-SUN EXPLORATION & PRODUCTION CO				RECEIVED:	03/21/83	J A TX		
8328738	F-01-063392	4212732404	103		BIG WELLS (SAN MIGUEL) #4721	BIG WELLS (SAN MIGUEL	0.0	HOUSTON PIPELINE
8328690	F-04-062593	4242731697	102-4		C L DEGARZA #35	SUN NORTH	1939.0	
8328622	F-8A-060723	4221932749	103		CENTRAL LEVILLAND UT #236	LEVILLAND	0.4	AMOCO PRODUCTION
8328861	F-7C-064361	4246131672	102-4		DAMRON "D" #1	HELUHA SE	24.0	PHILLIPS PETROLEU
8328788	F-08-063878	4213533996	103		EAST GOLDSMITH HOLT UT #2814	GOLDSMITH EAST (HOLT)	5.0	PHILLIPS PETROLEU
8328739	F-08-063402	4210300000	108		H E ADAMS "B" #1	DUNE	0.9	WARREN PETROLEUM
8328741	F-06-064355	4242731681	102-4		J G DEGARZA #8	SUN NORTH	53.0	
8328780	F-8A-063831	4246131066	103		N M WILLIAMS #6	KINGDOM (ABO REEF)	2.0	AMOCO PRODUCTION
-8328808	F-8A-064007	4221933502	103		SOUTHEAST LEVILLAND UT #282	LEVILLAND	4.0	AMOCO PRODUCTION

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328810	F-8A-064011	4221933494	103		SOUTHEAST LEVELLAND UT #295	LEVELLAND	95.0	AMOCO PRODUCTION
8328809	F-8A-064008	4221933509	103		SOUTHEAST LEVELLAND UT #297	LEVELLAND	5.0	AMOCO PRODUCTION
-SUN OIL CO			RECEIVED:	03/21/83	JA: TX			
8328504	F-08-021834	4213500000	108-ER		GOLDSMITH SAN ANDRES UT #24-1	EAST GOLDSMITH	1.0	PHILLIPS PETROLEU
-SUN-KEY OIL CO INC			RECEIVED:	03/21/83	JA: TX			
8328679	F-7B-062396	4214300000	108		D P SWANNER "A" #1 (097440)	DIAZ (STRAWN)	0.0	SOUTHWESTERN GAS
-TEXACO INC			RECEIVED:	03/21/83	JA: TX			
8328539	F-04-052562	4242700000	103		G G LOPEZ #4	ENCINITAS (V-19)	70.0	NATURAL GAS PIPEL
8328538	F-04-052456	4242731522	103		GUERRA SHARE 305-C #21	ROMA	33.0	TEHESSEE GAS PIP
8328627	F-08-060863	4219311079	102-4		MIDLAND "A" FEE #1	BRADFORD RANCH	0.0	EL PASO NATURAL G
8328664	F-8A-062115	4250132305	103		ROBERTS UNIT #2436	WASSON	7.3	SHELL OIL CO
8328751	F-8A-063528	4250132281	103		ROBERTS UNIT #2446	WASSON	18.6	SHELL OIL CO
8328637	F-8A-061338	4250132273	103		ROBERTS UNIT #3201	WASSON	21.8	SHELL OIL CO
8328671	F-8A-062308	4216532452	103		ROBERTSON UNIT #62	ROBERTSON N (CLEARFOR	23.7	PHILLIPS PETROLEU
8328624	F-03-060811	4224531487	102-4		SANDERS G/U #1	CONSTITUTION (13600)	36.5	TRANSCONTINENTAL
8328710	F-08-063002	4243131235	103		STERLING "E" FEE #14	BIG SALUTE (LEONARD)	0.0	VALERO TRANSMISSI
8328691	F-8A-062630	4216532412	103		WHARTON UNIT #102	HARRIS	0.0	PHILLIPS PETROLEU
8328750	F-8A-063527	4216532418	103		WHARTON UNIT #104	HARRIS	0.0	PHILLIPS PETROLEU
8328615	F-08-060546	4232931088	102-4		ZULA B WYLLIE "C" #1	BRADFORD RANCH	435.3	EL PASO NATURAL G
-TEXAS CRUDE INC			RECEIVED:	03/21/83	JA: TX			
8328521	F-06-048193	4207330387	102-4		NEW BIRMINGHAM "B" GU#2 W#2 89097	WHITE OAK CREEK (TRAV	311.0	DELHI GAS PIPELIN
-TEXOMA PRODUCTION CO			RECEIVED:	03/21/83	JA: TX			
8328601	F-03-060054	4232131088	102-4		H L HENRY #1	SIMPSONVILLE (10300)	175.0	NATURAL GAS PIPE
-THOMPSON J CLEO & JAMES CLEO JR			RECEIVED:	03/21/83	JA: TX			
8328806	F-7C-064801	4210500000	102-4		107-TF UNIVERSITY 32-115 #2	UNIVERSITY 31 (STRAWN	0.0	PHILLIPS PETROLEU
8328701	F-7C-062817	4210534176	103		107-TF UNIVERSITY 32-115 #2	OZONA (CANYON SAND)	75.0	PRODUCER'S GAS CO
-THOMSON-MONTEITH			RECEIVED:	03/21/83	JA: TX			
8328834	F-08-064177	4232931098	103		WINDHAM 36 WELL #2	PARKS (SPRABERRY)	1.1	MOBIL PROD TEXAS
-TRILEX EXPLORATION CO			RECEIVED:	03/21/83	JA: TX			
8328698	F-03-062800	4214931386	102-2		MAKINSEN #1	GIDDINGS EDWARDS	0.0	CLAJON GAS CO
-TRINITY EXPLORATION CO			RECEIVED:	03/21/83	JA: TX			
8328532	F-7B-050650	4213300000	108		BAR H BAR RANCH #3	TRINITY (BOND)	0.0	ODESSA NATURAL CO
-TRIO OPERATING CO INC			RECEIVED:	03/21/83	JA: TX			
8328778	F-10-063784	4242130257	103		CHE CORPORATION #171	TEXAS HUGOTON	73.0	PHILLIPS PETROLEU
-TRIPLE-S VENTURES INC			RECEIVED:	03/21/83	JA: TX			
8328616	F-02-060548	4246931925	102-4		JASCHKE #1	WILDCAT (SEE F-1)	65.0	C B GAS GATHERING
-TURTLE PRODUCTION CO INC			RECEIVED:	03/21/83	JA: TX			
8328757	F-7B-063560	4205932923	102-4		HAL MCGLOTHLIN #2	LAJET (FLIPPEN)	2.0	LONE STAR GAS CO
8328756	F-7B-063559	4205900000	102-4		HAL MCGLOTHLIN #3	LAJET (FLIPPEN)	1.0	LONE STAR GAS CO
8328755	F-7B-063558	4205900000	102-4		HAL MCGLOTHLIN #4	LAJET (FLIPPEN)	1.0	LONE STAR GAS CO
-TXO PRODUCTION CORP			RECEIVED:	03/21/83	JA: TX			
8328694	F-05-062713	4234932681	102-4		BOYD "D" #1	S KERENS (SMACKOVER)	0.0	DELHI GAS PIPELIN
8328776	F-05-063762	4216130760	102-4		COATES "B" #2	INGRAM TRINITY (RODES	0.0	DELHI GAS PIPELIN
8328783	F-10-063850	4235731304	102-4		GRAMSTORFF #1	BOOKER N (MORROW UPPE	219.0	DELHI GAS PIPELIN
8328660	F-06-061944	4240131545	102-4		MCRAE "B" #1	ITEX (PETTIT)	0.0	DELHI GAS PIPELIN
8328571	F-05-057704	4216130744	103		107-TF TEAGUE GAS UNIT #3-2	TEAGUE S (COTTON VALL	0.0	DELHI GAS PIPELIN
-U S OPERATING INC			RECEIVED:	03/21/83	JA: TX			
8328777	F-83-063788	4247730489	102-2		TRISHA #1 RRC ID# N/A	GIDDINGS (AUSTIN CHAL	0.0	PERRY PIPELINE CO
-UNION OIL COMPANY OF CALIF			RECEIVED:	03/21/83	JA: TX			
8328745	F-01-063499	4210534111	102-4		WAYNE WEST RANCH "A" #2	MASSIE (STRAWN)	73.0	INTRATEX GAS CO
8328746	F-01-063500	4210534210	102-2		WAYNE WEST RANCH "B" #1	MASSIE (STRAWN)	70.0	INTRATEX GAS CO
-UNIT DRILLING & EXPLORATION CO			RECEIVED:	03/21/83	JA: TX			
8328638	F-10-061342	4219530828	103		RALSTON #1	HANSFORD NORTH (MORRO	110.0	PANHANDLE EASTERN
-UPHAM OIL & GAS CO			RECEIVED:	03/21/83	JA: TX			
8328582	F-09-058647	4249700000	103		EMMIT BEESON #2	BOONESVILLE (BEND CON	0.0	LONE STAR GAS CO
-VANDERBILT RESOURCES CORPORATION			RECEIVED:	03/21/83	JA: TX			
8328714	F-01-063047	4211731375	102-4		CLARK #3	PEACH CREEK (BUDA)	72.0	VALERO TRANSMISSI
-VORIT EXPLORATION CO INC			RECEIVED:	03/21/83	JA: TX			
8328510	F-7B-039894	4236332605	102-4		H GREEN UNIT II #1	SANTO E (3800' CONGL)	0.0	SOUTHWESTERN GAS
-W J WHITT			RECEIVED:	03/21/83	JA: TX			
8328768	F-7B-063672	4232933336	102-4		VERNA MEES #1	RANGER N W (MARBLE FA	37.0	LONE STAR GAS CO
8328769	F-7B-063673	4229333337	102-4		VERNA MEES "A" #1	RANGER N W (MARBLE FA	73.0	LONE STAR GAS CO
-WAINOCO OIL & GAS CO			RECEIVED:	03/21/83	JA: TX			
8328597	F-05-059918	4216130726	103		107-TF GLAZIER #1	DEW (BOSSIER) FIELD	75.0	LONE STAR GAS CO
-WALKER OIL & GAS			RECEIVED:	03/21/83	JA: TX			
8328583	F-7B-058690	4204900000	102-4		M J BYRD #1 (19098)	BYRD (MARBLE FALLS 25	15.0	ODESSA NATURAL CO
-WALLACE OIL & GAS INC			RECEIVED:	03/21/83	JA: TX			
8328547	F-10-054070	4229531001	102-4		WEIS #1	HIGGINS SOUTH (UPPER	610.9	TRANSWESTERN PIPE
-WATCO ENERGY INC			RECEIVED:	03/21/83	JA: TX			
8328577	F-7C-058250	4239932223	102-4		RODNEY FLAMAGAN #2	Q V (FRY LOWER)	10.2	ODESSA NATURAL CO
-WHEELER OIL COMPANY			RECEIVED:	03/21/83	JA: TX			
8328526	F-10-048877	4208700000	108		HAWKINS (84120) #6	EAST PANHANDLE	7.0	EL PASO NATURAL G
8328527	F-10-048878	4208700000	108		M G HAWKINS (80339) #1	EAST PANHANDLE	6.0	EL PASO NATURAL G
-WILLIAM MOSS PROPERTIES INC			RECEIVED:	03/21/83	JA: TX			
8328849	F-7C-064282	4238332378	103		ROCKER "B" #1	SPRABERRY/TREND AREA	36.5	
8328848	F-7C-064281	4238332377	103		ROCKER "B" #2	SPRABERRY/TREND AREA	30.0	
-WILSON ENERGY INC			RECEIVED:	03/21/83	JA: TX			
8328794	F-7C-063930	4210500000	108		UNIVERSITY GULF STATE #1	FARMER (SAN ANDRES)	0.4	J L DAVIS
8328854	F-7C-064331	4210533177	108		UNIVERSITY GULF STATE 20 "A" #4	FARMER (SAN ANDRES)	2.2	J L DAVIS
8328819	F-7C-064880	4218533257	108		UNIVERSITY 12 "C" #1	FARMER (SAN ANDRES)	1.0	J L DAVIS
8328820	F-7C-064081	4210533258	108		UNIVERSITY 12 "C" #2	FARMER (SAN ANDRES)	1.0	J L DAVIS
8328821	F-7C-064082	4210533259	108		UNIVERSITY 12 "C" #3	FARMER (SAN ANDRES)	1.0	J L DAVIS
8328851	F-7C-064328	4210533027	108		UNIVERSITY 13 "B" #1	FARMER (SAN ANDRES)	0.4	J L DAVIS
8328852	F-7C-064329	4210533026	108		UNIVERSITY 13 "B" #2	FARMER (SAN ANDRES)	0.4	J L DAVIS
8328853	F-7C-064330	4210533028	108		UNIVERSITY 13 "B" #3	FARMER (SAN ANDRES)	0.4	J L DAVIS
8328850	F-7C-064286	4210533267	108		UNIVERSITY 2 #4	FARMER (SAN ANDRES)	2.8	J L DAVIS
8328818	F-7C-064076	4210533303	108		UNIVERSITY 2 "C" #2	FARMER (SAN ANDRES)	1.1	J L DAVIS
8328817	F-7C-064075	4210533302	108		UNIVERSITY 2 "C" #3	FARMER (SAN ANDRES)	1.1	J L DAVIS
8328816	F-7C-064074	4210533301	108		UNIVERSITY 2 "C" #4	FARMER (SAN ANDRES)	1.1	J L DAVIS
8328815	F-7C-064073	4210533490	108		UNIVERSITY 2 "D" #1	FARMER (SAN ANDRES)	2.0	J L DAVIS
8328814	F-7C-064072	4210533491	108		UNIVERSITY 2 "D" #2	FARMER (SAN ANDRES)	2.0	J L DAVIS
8328822	F-7C-064084	4210533268	108		UNIVERSITY 8 "A" #3	FARMER (SAN ANDRES)	1.0	J L DAVIS
-WOOD ENERGY INC			RECEIVED:	03/21/83	JA: TX			
8328524	F-03-048482	4204100000	102-4		A A JONES #1	KURTEN (GEORGETOWN)	12.6	PRODUCERS GAS CO
8328525	F-03-048483	4204100000	102-4		J E MEEDON #1	KURTEN (GEORGETOWN)	10.8	PRODUCERS GAS CO
-WOOD MCSHANE & THAMS			RECEIVED:	03/21/83	JA: TX			
8328846	F-08-064277	4249531541	103		KEYSTONE CATTLE 88-C	KEYSTONE (COLBY)	116.8	WESTAR TRANSMISSI
-WORTH PETROLEUM CO			RECEIVED:	03/21/83	JA: TX			
8328734	F-08-063318	4237100000	103		THIGPIN A#1	JNT (PENN)	30.0	M WILSON CORP

[FR Doc. 83-10781 Filed 4-21-83; 8:46 am]

BILLING CODE 8717-01-C



[Volume 872]

**Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978**

Issued: April 19, 1983.

The following notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are available for inspection except to the extent such material is confidential

under 18 CFR 275.208, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the Federal Register.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd., Springfield, Va 22161.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease  
102-2: New well (2.5 Mile rule)  
102-3: New well (1000 Ft rule)  
102-4: New onshore reservoir  
102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper  
107-GB: Geopressured brine  
107-CS: Coal Seams  
107-DV: Devonian Shale  
107-PE: Production enhancement  
107-TF: New tight formation  
107-RT: Recompletion tight formation

Section 108: Stripper well  
108-SA: Seasonally affected  
108-ER: Enhanced recovery  
108-PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

BILLING CODE 6717-01-M

NOTICE OF DETERMINATIONS  
Issued April 19, 1983

VOLUME 872

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
***** TEXAS RAILROAD COMMISSION *****									
***** RECEIVED: 03/21/83 JA: TX *****									
-AMOCO PRODUCTION CO									
8328993	F-06-064844	4240131352	102-4			BILLY NEAL ROGERS GAS UNIT #2	HENDERSON NORTH (RODE	600.0	VALERO TRANSMISSI
8328877	F-04-064419	4247933449	102-4	107-TF		KILLAM-HURD-AMOCO /D/ #1	CASA VERDE	1100.0	UNITED TEXAS TRAN
8328878	F-04-064420	4212308035	102-4	107-TF		KILLAM-HURD-AMOCO /E/ #1	CASA VERDE	1100.0	UNITED TEXAS TRAN
8328879	F-04-064421	4247933204	102-4	107-TF		KILLAM-HURD-AMOCO RANGE #2	CASA VERDE	1250.0	UNITED TEXAS TRAN
8328911	F-8A-064513	4221933632	103			LEVELLAND UNIT #760	LEVELLAND	0.4	AMOCO PRODUCTION
8328912	F-8A-064514	4221933631	103			LEVELLAND UNIT #762	LEVELLAND	0.4	AMOCO PRODUCTION
8328968	F-8A-064608	4221933633	103			LEVELLAND UNIT #766	LEVELLAND	0.1	AMOCO PRODUCTION
8328970	F-8A-064610	4221932976	103			MAY MONTGOMERY UNIT #62	LEVELLAND	0.3	AMOCO PRODUCTION
8328910	F-8A-064511	4221933644	103			MAY MONTGOMERY UNIT #68	LEVELLAND	0.3	AMOCO PRODUCTION
8328913	F-08-064515	4200333365	103			MIDLAND FARMS "AW" #4	FASKEN (PENN)	2.4	AMOCO PRODUCTION
8328908	F-08-064509	4200333343	103			MIDLAND FARMS AX #1	FASKEN (PENN)	2.1	AMOCO PRODUCTION
8328971	F-02-064611	4229733246	103			PEARL HARRIS B #3	HARRIS (WILCOX-MACKHA	191.0	TRANSCONTINENTAL
8328969	F-8A-064609	4244531075	103			PRENTICE NORTHEAST UNIT #154	PRENTICE (6700)	0.0	AMOCO PRODUCTION
8328909	F-8A-064510	4244531076	103			PRENTICE NORTHEAST UNIT #155	PRENTICE (6700)	0.1	AMOCO PRODUCTION
***** RECEIVED: 03/21/83 JA: TX *****									
-ARCO OIL AND GAS COMPANY									
8328896	F-7C-064479	4223531974	103			KETCHUM Mtn CLEARFORK UNIT #56-76	KETCHUM MOUNTAIN (CLE	4.0	J L DAVIS
***** RECEIVED: 03/21/83 JA: TX *****									
-AUGUSTA OIL & GAS INC									
8329153	F-7B-065039	4225332363	103			MURFEE #1 19267	HOODLE NW (CANYON SD	33.0	CONOCO INC
***** RECEIVED: 03/21/83 JA: TX *****									
-BANAM CORP									
8329159	F-7B	4215131551	102-4			SOLOMAN #1-8	SATURDAY EAST (CANYON	15.4	CONOCO INC
***** RECEIVED: 03/21/83 JA: TX *****									
-BISON PETROLEUM CORP									
8329109	F-10-064885	4235700000	108			HERNDON #1 RRC #065867	ELLIS RANCH (KEYS)	20.0	DIAMOND SHAMROCK
***** RECEIVED: 03/21/83 JA: TX *****									
-BODAN OIL & GAS CO									
8329136	F-7C-064973	4208131153	103			JAMESON 1-A	BLOODWORTH N (CANYON	55.0	SUN OIL CO
***** RECEIVED: 03/21/83 JA: TX *****									
-C & K PETROLEUM INC									
8329015	F-09-064696	4243100000	103			FOSTER 34-6	CONGER (PENN)	0.0	VALERO TRANSMISSI
***** RECEIVED: 03/21/83 JA: TX *****									
-C R GODER									
8328944	F-7B-064562	4244733383	102-4			MASSEY #1	MCKNIGHT S (CONGL)	37.0	H S T GATHERING C
***** RECEIVED: 03/21/83 JA: TX *****									
-CHAPARRAL MINERALS INC									
8329107	F-03-064882	4204130839	102-4			DOUGLAS CROWEENS #1 (16179)	BRYAN (WOODBINE)	145.0	FERGUSON CROSSING
***** RECEIVED: 03/21/83 JA: TX *****									
-CITIES SERVICE COMPANY									
8329135	F-08-064960	4238931309	103			PERKINS "F" #4	COLLIE (DELAWARE)	18.0	INTRATEX GAS CO
8329027	F-08-064715	4238931234	103			PERKINS-F #3	COLLIE (DELAWARE)	41.0	INTRATEX GAS CO
***** RECEIVED: 03/21/83 JA: TX *****									
-CLEMENTS ENERGY INC									
8328916	F-08-064522	4249531441	103			F H HOGG #1	F A HOGG (PENN DETRIT	86.0	PHILLIPS PETROLEU
8328917	F-08-064523	4249531494	103			F H HOGG #2	F A HOGG (PENN DETRIT	125.0	PHILLIPS PETROLEU
***** RECEIVED: 03/21/83 JA: TX *****									
-COASTAL OIL & GAS CORP									
8329130	F-10-064939	4237930904	103			MASTERSON "C" #4-22J	PANHANDLE (RED CAVE)	1.0	COLORADO INTERSTA
8328881	F-10-064442	4234130752	103			THOMPSON 2-10J	PANHANDLE (RED CAVE)	2.0	COLORADO INTERSTA
***** RECEIVED: 03/21/83 JA: TX *****									
-CONOCO INC									
8328905	F-04-064502	4247933113	103			CARLOS BENAVIDES #1	PICOSO (WILCOX 11,300	437.0	HOUSTON PIPELINE
8328898	F-01-064484	4232331399	103			N J CHITTIM #6557	SACATOSA (SAN MIGUEL	0.7	VALERO TRANSMISSI
8328901	F-01-064487	4232331400	103			N J CHITTIM #6558	SACATOSA	0.7	VALERO TRANSMISSI
8328902	F-01-064488	4232331401	103			N J CHITTIM #6663	SACATOSA	0.7	VALERO TRANSMISSI
8328903	F-01-064489	4232331403	103			N J CHITTIM #6664	SACATOSA	0.7	VALERO TRANSMISSI

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328900	F-01-064486	4232331404	103		N J CHITTAM 86665	SACATOSA	0.7	VALERO TRANSMISSI
8328899	F-01-064485	4232331402	103		N J CHITTAM NO 6662	SACATOSA	0.7	VALERO TRANSMISSI
8329094	F-08-064852	4210331665	103		RAMSEY #44" 86 (27636)	GERALDINE/DELAWARE 34	23.0	EL PASO NATURAL G
8329042	F-8A-064755	4210333084	103		UNIVERSITY C 89 (11210)	DUNE	5.5	PHILLIPS PETROLEUM
8328965	F-08-064594	4238931321	103		W E DELL #44" 812 (ID 27756)	JESS BURNER (DELAWARE	62.4	EL PASO NATURAL G
-CORPUS CHRISTI OIL AND GAS CO					RECEIVED: 03/21/83	JA: TX		
8328897	F-04-064481	4200730717	102-4		STATE TRACT 38 WELL # 1-L	GOOSE ISLAND (E-1 W)	0.0	CENTRAL POWER & L
-DAVIS OIL COMPANY					RECEIVED: 03/21/83	JA: TX		
8329036	F-08-064736	4217331359	102-4		LOIS BLALOCK #4	DEWEY LAKE	0.0	EL PASO NATURAL G
-DELRAY OIL INC					RECEIVED: 03/21/83	JA: TX		
8328950	F-7B-064572	4208333193	103		BERTIE E STONE #23	COLEMAN COUNTY REGULA	7.6	LONE STAR GAS CO
-DIAMOND SHAMROCK CORPORATION					RECEIVED: 03/21/83	JA: TX		
8328964	F-10-064593	4221131452	103		DRY CREEK CATTLE CO 17 #1	HIGGINS WEST	0.0	
-DSK PRODUCERS					RECEIVED: 03/21/83	JA: TX		
8329137	F-7B-064974	4208332737	108		CLYDE HAYNES #1	COLEMAN COUNTY REGULA	0.0	EL PASO HYDROCARB
-EASTLAND OIL CO					RECEIVED: 03/21/83	JA: TX		
8328992	F-08-064656	4238931223	103		ARCO STATE #1	REAVES N (3200)	100.0	UNITED TEXAS TRAN
-EL PASO NATURAL GAS COMPANY					RECEIVED: 03/21/83	JA: TX		
8329133	F-7C-064953	4243519197	108		DAVIS B #1	SONORA (CANYON UPPER)	10.0	EL PASO NATURAL G
-EMERALD PETROLEUM CORP					RECEIVED: 03/21/83	JA: TX		
8329014	F-09-064690	4207732365	103		DAVID B #1	BLUE GROVE (CADD0)	3.6	FAGADAY ENERGY CO
-EXXON CORPORATION					RECEIVED: 03/21/83	JA: TX		
8329131	F-08-064945	4213534056	103		AUGUSTA BARROW #26	COWDEN NORTH	2.0	
8329012	F-08-064663	4222732719	102-4		EUNICE HOMAN #1	MOORE (WOLF CAMP)	3.0	EL PASO NATURAL G
8329055	F-04-064776	4213133981	103		EXXON YATES RANCH FEE "D" 3-F 09796	STRAKE (3700' SAND)	56.4	ARMCO STEEL CORP
8328907	F-06-064505	4200131288	103		G W EATON ESTATE #33	NECHES (WOODBINE)	21.9	UNITED GAS PIPELI
8328979	F-08-064629	4210300000	108		J B TUBB A/C 1 #12	SAND HILLS	10.0	EL PASO NATURAL G
8328977	F-08-064627	4210300000	108		J B TUBB A/C 1 #5	SAND HILLS (JUDKINS)	10.0	EL PASO NATURAL G
8328978	F-08-064628	4210300000	108		J B TUBB A/C 1 #79	SAND HILLS	10.0	EL PASO NATURAL G
8329013	F-08-064684	4200333348	103		J S MEANS A/C 2 #2319	MEANS (QUEEN SAND)	3.0	
8329108	F-04-064883	4227331330	102-4		K R ALAZAN 320-F (103131)	HINOJOSA NORTH (E-97	66.0	ARMCO STEEL CORP
8329152	F-04-065035	4227331345	102-4		K R ALAZAN 331-F (103322)	HINOJOSA NORTH (E-95	1400.0	ARMCO STEEL CORP
8328924	F-04-064532	4227331165	102-4		K R BORREGOS 539-F (103030)	BORREGOS (U-3 W)	1371.0	ARMCO STEEL CORP
8328923	F-04-064531	4227331577	102-4		K R BORREGOS 565 (103029)	BORREGOS (N-5)	129.0	ARMCO STEEL CORP
8328922	F-04-064530	4227331679	103		K R BORREGOS 577 (103031)	BORREGOS (V-25)	803.0	ARMCO STEEL CORP
8328929	F-04-064540	4227331699	102-4		K R BORREGOS 579 (102275)	BORREGOS (N-21 N)	1237.0	ARMCO STEEL CORP
8328921	F-7C-064529	4243131176	103		LOU E JOHNSON ESTATE A/C 1 #37	JAMESON (STRAWN)	1.0	KOCH HYDROCARBON
8329132	F-7C-064966	4223531970	103		PEARL WILLIAMS B #11	DOVE CREEK SOUTH (650	15.0	
8329151	F-04-065034	4226131702	102-4		RJK JR TR STILLMAN PAST 54 (103345)	TORDILLA (I-67 N)	730.0	ARMCO STEEL CORP
8328918	F-8A-064525	4216532435	103		ROBERTSON CLEARFORK UNIT #1003	ROBERTSON N (CLEAR FO	15.0	PHILLIPS PETROLEUM
8328919	F-8A-064526	4216532464	103		ROBERTSON CLEARFORK UNIT #7401	ROBERTSON N (CLEAR FO	15.0	PHILLIPS PETROLEUM
8328920	F-8A-064528	4216532308	103		ROBERTSON CLEARFORK UNIT #9803	ROBERTSON N (CLEAR FO	15.0	PHILLIPS PETROLEUM
8328996	F-08-064652	4227130032	103		SHELL #1	OATES NE (DEVONIAN)	10.0	NORTHERN NATURAL
8328972	F-06-064615	4234730722	103		TRAWICK GAS UNIT #29 #4	TRAWICK (TRAVIS PEAK)	570.0	ARMCO STEEL CORP
8329092	F-04-064839	4213135859	103		V KOHLER A-142 009632	KOHLER NE (MIRANDO #2	6.2	TENNESSEE GAS PIP
-FRAC INC					RECEIVED: 03/21/83	JA: TX		
8329098	F-08-064861	4200333331	103		M A THORNBERY CONS II #17453	FUHRMAN MASCHO	6.5	PHILLIPS PETROLEUM
8329155	F-08-065043	4200333372	103		THORNBERY CONS I #D-6 WELL #17452	FUHRMAN MASCHO	2.5	PHILLIPS PETROLEUM
8329110	F-08	4200333373	103		UNIVERSITY "174" #2 #27678	FUHRMAN MASCHO	8.6	PHILLIPS PETROLEUM
-G & H OPERATING CORP					RECEIVED: 03/21/83	JA: TX		
8329028	F-02-064718	4229700000	102-4		JAMES D SULLIVAN #9	MAXINE EAST (MATULA)	365.0	NATURAL GAS PIPEL
-GAS DEVELOPMENT CORP					RECEIVED: 03/21/83	JA: TX		
8329115	F-7C-064905	4243532420	102-4		JO NELL JOHNSON 16 #1	JO NELL (CANYON D)	264.0	NORTHERN NATURAL
-GETTY OIL COMPANY					RECEIVED: 03/21/83	JA: TX		
8329008	F-08-064679	4210332907	103		NORTH MCELROY UNIT #3339 RRC 20377	MCELROY	1.0	PHILLIPS PETROLEUM
8329006	F-08-064677	4210332909	103		NORTH MCELROY UT #3842-A RRC 20377	MCELROY	1.0	PHILLIPS PETROLEUM
8329007	F-08-064678	4210332908	103		NORTH MCELROY UNIT #3844 RRC 20377	MCELROY	2.0	PHILLIPS PETROLEUM
8329009	F-08-064680	4210332910	103		NORTH MCELROY UNIT #4746 RRC 20377	MCELROY	1.0	PHILLIPS PETROLEUM
-GO OIL CORP					RECEIVED: 03/21/83	JA: TX		
8329029	F-09-064722	4223734731	102-4		HOLLEY #1 (RRC ID NO 103290)	FRANKLIN (STRAWN)	0.0	LONE STAR GAS CO
-GREENWOOD INDUSTRIES INC					RECEIVED: 03/21/83	JA: TX		
8329087	F-7B-064826	4241734569	102-4		GILLIAN #1 (103258)	GILLIAN (MARBLE FALLS	230.0	DELHI GAS PIPELIN
-GULF OIL CORPORATION					RECEIVED: 03/21/83	JA: TX		
8329101	F-03-064864	4215731349	103		F I BOOTH "A" #52	THOMPSON FIELD	50.6	UNITED TEXAS TRAN
8329100	F-03-064863	4215731348	103		F I BOOTH "A" #53	THOMPSON	81.0	UNITED TEXAS TRAN
8329140	F-03-064928	4204130429	103		GILPIN UNIT 1 #1	KURTEN (WOODBINE)	4.0	PRODUCER'S GAS CO
8329104	F-03-064867	4204130520	103		H O WILSON UNIT I #1	KURTEN (WOODBINE)	10.0	PRODUCER'S GAS CO
8329141	F-03-064989	4204130487	103		H WEST UNIT 1 #1	KURTEN (WOODBINE)	4.0	PRODUCER'S GAS CO
8329145	F-10-065017	4229531226	103		HAROLD PEERY #6-766	PEERY (CLEVELAND)/CLE	105.0	TRANSWESTERN PIPE
8328967	F-10-064605	4229531210	103		HAROLD PEERY #8-766	PEERY (MARMATON)/CLEV	70.0	PHILLIPS PETROLEUM
8329096	F-08-064857	4247532741	103		HUTCHINGS STOCK ASSN #1142	WARD-ESTES NORTH	9.0	CABOT CORP
8329095	F-08-064856	4247532740	103		HUTCHINGS STOCK ASSN #1210	WARD-ESTES NORTH	11.0	CABOT CORP
8329099	F-03-064862	4204130477	103		LANG UNIT 11 #1	KURTEN (WOODBINE)	10.0	PRODUCER'S GAS CO
8329105	F-03-064868	4204130498	103		LEHZ UNIT 11 #1	KURTEN (WOODBINE)	18.0	PRODUCER'S GAS CO
8329102	F-03-064865	4204130493	103		SCHRAM UNIT III #1	KURTEN (WOODBINE)	35.0	PRODUCER'S GAS CO
8329097	F-08-064858	4238931329	103		"X" "BM" (NCT-B) #1	JESS BURNER (DELAWARE	39.0	CONOCO INC
8329103	F-03-064866	4204130512	103		WILSON UNIT VI #1	KURTEN (WOODBINE)	30.0	PRODUCER'S GAS CO
-HEARTLAND RESOURCES INC					RECEIVED: 03/21/83	JA: TX		
8329090	F-7B-064832	4242933522	102-4		COOK HEIRS #1 ID #103380	FRANKEL S (STRAWN)	52.0	WARREN PETROLEUM
-HEXAGON OIL & GAS INC					RECEIVED: 03/21/83	JA: TX		
8328966	F-7B-064595	4236732280	102-4		YOUNG #1	MOBY DICK (STRAWN)	234.0	SOUTHWESTERN GAS
-HOLLY ENERGY INC					RECEIVED: 03/21/83	JA: TX		
8328904	F-7C-064492	4210534211	102-4		TODD-RANCH #2	SERIGHT (STRAWN)	182.0	PERMIAN CORP
-JACK F GRIMM					RECEIVED: 03/21/83	JA: TX		
8328945	F-8A-064563	4210130310	102-4		PRENTISS FIELDS #1-5	INDEPENDENT (BEND CON	443.0	LONE STAR GAS CO
-KEYSTONE OIL CO INC					RECEIVED: 03/21/83	JA: TX		
8329085	F-7B-064823	4242933466	102-4		LEDBETTER #1 (103382)	LEDBETTER (RANGER 362	420.0	SOUTHWESTERN GAS
-L & M OIL CO					RECEIVED: 03/21/83	JA: TX		
8329017	F-09-064701	4249700000	108		MCINTYRE #1 (029163)	BOONESVILLE (BEND CON	12.0	LONE STAR GAS CO
-LAJUANA JO OIL CO					RECEIVED: 03/21/83	JA: TX		
8328943	F-7B-064561	4225332274	103		HORTON #1 (18989)	JONES COUNTY REGULAR	10.0	CONOCO INC
-LYNN GILLESPIE					RECEIVED: 03/21/83	JA: TX		
8329086	F-7B-064824	4225332361	102-4		BROWN #23	ANNE (CISCO SAND)	1.0	CONOCO INC
-M M OIL CO					RECEIVED: 03/21/83	JA: TX		
8329134	F-08-064956	4249531473	103		SINCLAIR-SEALY #5 LSE NO 07348	WARD-ESTES NORTH	18.3	WARREN PETROLEUM
-MILLS DENNIS ENTERPRISES INC					RECEIVED: 03/21/83	JA: TX		
8328982	F-10-064637	4217931268	103		HEIDI #4 (ID #05281)	PANHANDLE GRAY	96.0	CABOT PIPELINE CO
-MITCHELL ENERGY CORPORATION					RECEIVED: 03/21/83	JA: TX		
8329142	F-09-065003	4249700000	108		SAM KIKER #3	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
-MOBIL PRD TEXAS & NEW MEXICO INC					RECEIVED: 03/21/83	JA: TX		
8328925	F-04-064533	4204730308	108		CHURCH OF THE BRETHREN UNIT #446 #6	LA GLORIA (LOHMAN)	12.9	NATURAL GAS PIPE
8329039	F-8A-064740	4250132078	102-4		KELLER "C" #1	BRAHANEY W (DEV)	4.7	
8329038	F-8A-064739	4250132313	102-4		KELLER "C" #2	BRAHANEY W (DEV)	0.0	
-8328928	F-04-064536	4224903411	108		LA GLORIA GAS UNIT #15-L	LA GLORIA (BROOKS)	21.8	NATURAL GAS PIPE

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328927	F-04-064535	4224900000	108		LA GLORIA GAS UNIT NO 33	LA GLORIA (SCOTT)	7.7	NATURAL GAS PIPE
8328926	F-10-064534	4221130402	108		LESTER B URSCHER #12	CANADIAN W E (DOUGLAS	21.8	WESTAR TRANSMIS
8328885	F-08-064457	4233532367	103		MARY FOSTER #149	JATAN EAST HOWARD	0.4	GETTY OIL CO
8328884	F-08-064456	4200333220	103		SHAFTER LAKE SAN ANDRES UNIT #316	SHAFTER LAKE (SAN AND	0.4	PHILLIPS PETROLEU
-NEUMIN PRODUCTION CO								
8328949	F-06-064571	4236531333	102-4		03/21/83 JA: TX JIM G SEALEY UNIT #1	PINEHILL (TRAVIS PEAK	365.0	DELHI GAS PIPELIN
-NORTHEDGE EXPLORATION INC								
8329005	F-09-064673	4223734604	103		03/21/83 JA: TX PRICE #10 101357	CLAY-RAY (CONGL)	365.0	CORANADO TRANSMIS
8329003	F-09-064671	4223734699	103		PRICE #11 22592	PRICE CONGL	109.8	CORANADO TRANSMIS
8329004	F-09-064672	4233734770	103		PRICE #12 103209	CLAY-RAY (CONGL)	220.8	CORANADO TRANSMIS
-PANHANDLE ENERGY CORP								
8328962	F-10-064591	4206531337	103		03/21/83 JA: TX BETTY "B" #1 (ID# 05280)	PANHANDLE CARSON	50.0	GETTY OIL CO
8328963	F-10-064592	4206531336	103		BETTY "B" #2 (ID# 05280)	PANHANDLE CARSON	50.0	GETTY OIL CO
-PARKER & PARLEY INC								
8328948	F-08-064569	4231732616	103		03/21/83 JA: TX MOLCOTT "A" #1	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
8328947	F-08-064568	4231732623	103		MOLCOTT "B" #1	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
8328946	F-08-064567	4231732626	103		MOLCOTT "B" #2	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
-PENNZOIL COMPANY								
8328893	F-08-064465	4210300000	108		03/21/83 JA: TX J B TUBB #2	CRAWAR	10.7	CABOT CORP
-PENNZOIL PRODUCING COMPANY								
8328900	F-06-064653	4236530941	107-TF		03/21/83 JA: TX DUNLAP #1	CARTHAGE/COTTON VALLE	550.0	UNITED GAS PIPE L
8328991	F-06-064654	4236530942	107-TF		JERNIGAN "A" UNIT #A-2	BETHANY EAST /COTTON	475.0	UNITED GAS PIPE L
8328989	F-06-064651	4236530900	107-TF		SHAW UNIT #3	CARTHAGE/COTTON VALLE	550.0	UNITED GAS PIPE L
8328894	F-06-064466	4235500000	108		W H WALLACE #4-D	AGUA DULCE (5,840')	0.0	UNITED GAS PIPE L
-PETROLEUM TECHNICAL SERVICES CO								
8328915	F-08-064521	4210333060	103		03/21/83 JA: TX P J LEA #10	LEA (SAN ANDRES)	18.3	WARREN PETROLEUM
8328914	F-08-064518	4210333061	103		TOM LEANDER #7	LEA (SAN ANDRES)	2.1	WARREN PETROLEUM
-PHILLIPS PETROLEUM COMPANY								
8329119	F-08-064917	4249503454	108		03/21/83 JA: TX (21555) F P MCCABE	HALLEY	1.0	EL PASO NATURAL G
8328995	F-09-064659	4249503423	108		BASH NO 6 (03366)	KEYSTONE (ELLENBURGER	18.0	SID RICHARDSON GA
8329120	F-7C-064919	4238310200	108		P SOUTHLA ROYALTY JACKSON HUGHES #3	SPRABERRY (TREND AREA	3.0	NORTHERN NATURAL
8329121	F-7C-064921	4238330240	108		WEATHERBY A #6	SPRABERRY (TREND AREA	6.0	NORTHERN NATURAL
-R A W ENERGY CORP								
8329116	F-7B-064907	4241734533	102-4		03/21/83 JA: TX BERNSTEIN #1	BERNSTEIN (ELLENBURGE	0.0	WARREN PETROLEUM
-R E KIBBE								
8329026	F-04-064713	4224931611	102-4		03/21/83 JA: TX MACLOVIA GARCIA HEIRS 102112	ASOG	275.0	DELHI GAS PIPELIN
-READING & BATES PETROLEUM CO								
8328984	F-08-064641	4232900000	108		03/21/83 JA: TX BENGE #1	SPRAYBERRY TREND	19.7	EL PASO NATURAL G
8328983	F-08-064640	4232900000	108		BENGE #2	SPRAYBERRY TREND	15.8	EL PASO NATURAL G
-ROOSTH & GENECON PRODUCTION CO								
8329106	F-06-064879	4242330583	102-4		03/21/83 JA: TX E H SANDERS "A" #2	JOHN A MANIER SURVEY	58.4	EAST TEXAS PRODUC
-SANTA FE ENERGY PRODUCTS CO								
8329143	F-10-065004	4235731329	102-4		03/21/83 JA: TX TROSPER #1-119	BOOKER NORTH	100.0	DELHI GAS PIPELIN
8329144	F-10-065005	4235731332	102-4		TROSPER #2-119	BOOKER NORTH	130.0	DELHI GAS PIPELIN
-SANTA FE MINERALS INC								
8329016	F-03-064698	4270630182	102-4		03/21/83 JA: TX BLOCK 310-L 5/L 78013 #3	SOONER 1 (MIOCENE U 3	540.0	VALLEY PIPE LINES
-SANTA FE-ANDOVER OIL CO								
8329041	F-08-064745	4213533693	102-4 103		03/21/83 JA: TX A B CONNELL #29-2	JORDAN WEST (ELLENBUR	56.0	PHILLIPS PETROLEU
8328988	F-7B-064650	4208333053	103		JIM BOB THWEATT #3	JIM BOB (JENNINGS SD	12.0	CITY OF BRADY
-SANTOX OIL CO								
8329146	F-7B-065027	4213330736	102-4		03/21/83 JA: TX RODGERS #1 (14499)	CARBON (CADD0)	17.0	NORTHERN NATURAL
8329148	F-7B-065029	4213331358	102-4		RODGERS #6 (14499)	CARBON (CADD0)	28.0	NORTHERN NATURAL
8329149	F-7B-065030	4213331976	102-4		RODGERS #8 (14499)	CARBON (CADD0)	8.0	NORTHERN NATURAL
8329147	F-7B-065028	4213331758	102-4		SELF #1 (15954)	CARBON (CADD0)	15.0	NORTHERN NATURAL
8329150	F-7B-065031	4213331679	102-4		TREADWAY #2 (14500)	CARBON (CADD0)	9.0	NORTHERN NATURAL
-SBC ENERGY INC								
8329018	F-7B-064702	4208333168	102-4		03/21/83 JA: TX FRED HAYNES ESTATE #1 (102808)	TRICKHAM (CROSSCUT)	14.0	EL PASO HYDROCARB
8329019	F-7B-064703	4208333176	102-4		FRED HAYNES ESTATE #3 (102809)	TRICKHAM (CROSSCUT)	27.0	EL PASO HYDROCARB
-SEAGO OIL INC								
8328906	F-7C-064504	4239932641	102-4		03/21/83 JA: TX BONNIE CLARK #2	BIG ED N (GARDNER LIM	36.0	K-B GAS CO
-SHELL OIL CO								
8328887	F-7C-064459	4238300000	108		03/21/83 JA: TX CLARK-15 NO 2	SPRAYBERRY TREND AREA	18.6	EL PASO NATURAL G
8329113	F-8A-064893	4250132291	103		DENVER UNIT #2836	WASSON	0.4	SHELL OIL CO
8328892	F-8A-064464	4216500000	108		GAINES WASSON CLEARFORK UNIT #56046	WASSON 72	7.7	SHELL OIL CO
8328886	F-8A-064458	4216500000	108		GAINES WASSON CLEARFORK UNIT #64050	WASSON 72	3.1	SHELL OIL CO
8328890	F-8A-064462	4216500000	108		GAINES WASSON CLEARFORK UNIT #64076	WASSON 72	2.8	SHELL OIL CO
8328891	F-8A-064463	4216500000	108		GAINES WASSON CLEARFORK UNIT #65110	WASSON 72	1.7	SHELL OIL CO
8328888	F-8A-064460	4200300000	108		LOGSDON #3	FULLERTON (SAN ANDRES	2.7	PHILLIPS PETROLEU
8328889	F-08-064461	4200300000	108		LOGSDON ETAL -D- #11	FULLERTON (SAN ANDRES	1.3	PHILLIPS PETROLEU
-SOUTHERN CRUDE OIL RESOURCES INC								
8329030	F-7B-064723	4236232150	102-4		03/21/83 JA: TX CHRISTY #1 (RR ID NO 103281)	BRAZOS EAST (STRAWN 2	0.0	SOUTHWESTERN GAS
-SOUTHERN UNION EXPLORATION COMPANY								
8329054	F-7C-064772	4209530411	103		03/21/83 JA: TX MALCORINE W STASNEY #1	FUZZY CREEK	18.0	J-W OPERATING CO
8328895	F-7C-064467	4209530466	102-4		MALCORINE W STASNEY #3	FUZZY CREEK	55.0	J-W OPERATING CO
-SOUTHLAND ROYALTY CO								
8328880	F-8A-064434	4216532437	103		03/21/83 JA: TX FOSTER #14	D E B	5.0	PHILLIPS PETROLEU
-SULLIVAN BROTHERS OIL								
8329010	F-7B-064681	4213334440	102-4		03/21/83 JA: TX J W LANGFORD #1-B	RANGER (BLACK LIME WE	15.0	LONE STAR GAS CO
-SUN EXPLORATION & PRODUCTION CO								
8329158	F-8A-065047	4250100000	108		03/21/83 JA: TX BENNETT RANCH UNIT #232	WASSON	1.0	SHELL OIL CO
8329081	F-8A-064818	4250132226	103		BENNETT RANCH UNIT #344	WASSON	13.0	SHELL OIL CO
8329079	F-8A-064816	4250132214	103		BENNETT RANCH UNIT #346	WASSON	15.0	SHELL OIL CO
8329080	F-8A-064817	4250132222	103		BENNETT RANCH UNIT #351	WASSON	12.0	SHELL OIL CO
8329086	F-01-064645	4212732396	103		BIG WELLS (SAN MIGUEL) UNIT #2036	BIG WELLS (SAN MIGUEL	7.0	HOUSTON PIPE LINE
8329085	F-01-064643	4212732403	103		BIG WELLS (SAN MIGUEL) UNIT #5456	BIG WELLS (SAN MIGUEL	9.0	HOUSTON PIPE LINE
8329034	F-7C-064727	4235300000	108		BLOODWORTH NE C U #37	BLOODWORTH (5650)	20.0	EL PASO NATURAL G
8329075	F-8A-064812	4221933639	103		CENTRAL LEVALLAND UNIT #268	LEVALLAND	84.0	AMOCO PRODUCTION
8329156	F-08-065045	4249500000	108		E BROWN #2	KERMIT	1.0	CABOT CORP
8329033	F-7C-064726	4235300000	108		FRED JAMESON #18	BLOODWORTH (5750)	8.0	LONE STAR GAS CO
8329139	F-10-064985	4234130813	103		MARRINGTON #7	PANHANDLE MOORE COUNT	18.0	
8329138	F-08-064982	4233323399	103		J F MCCABE "B" #3	JAMESON N (ODOM)	55.0	LONE STAR GAS CO
8329031	F-7C-064724	4208100000	108		J S WALKER #2	JAMESON S F (STRAWN)	14.0	LONE STAR GAS CO
8329078	F-7C-064815	4208131125	103		JAMESON REEF UNIT #10-27	JAMESON	97.0	LONE STAR GAS CO
8329077	F-7C-064814	4208131149	103		JAMESON REEF UNIT #11-69	JAMESON	281.0	LONE STAR GAS CO
8329076	F-7C-064813	4208131152	103		JAMESON REEF UNIT #11-70	JAMESON	53.0	LONE STAR GAS CO
8328987	F-02-064646	4246900000	108		MCFADDIN #1-300	MCFADDIN (2200)	22.0	TENNESSEE GAS PIP
8329157	F-08-065046	4200300000	108		O B HOLY GRUB #5-2	CONDON NORTH	1.0	AMOCO PRODUCTION
8329035	F-7C-064728	4246100000	108		ROSA A BARNET #3	KING MOUNTAIN	9.0	PHILLIPS PETROLEU
8329084	F-8A-064812	4221933506	103		SOUTHEAST LEVALLAND UNIT #287	LEVALLAND	11.0	AMOCO PRODUCTION
8329083	F-8A-064820	4221933508	103		SOUTHEAST LEVALLAND UNIT #288	LEVALLAND	7.8	AMOCO PRODUCTION
8329082	F-8A-064819	4221933546	103		SOUTHEAST LEVALLAND UNIT #298	LEVALLAND	2.0	AMOCO PRODUCTION
8329032	F-08-064725	4235300000	108		V T MCCABE "A" #17	JAMESON NORTH (STRAWN	10.0	LONE STAR GAS CO
-SUN-KEY OIL CO INC								
8329011	F-7B-064682	4214300000	108		03/21/83 JA: TX D P SWANNER "C" #1 (096363)	CHANCELLOR (CONGL UP)	0.0	SOUTHWESTERN GAS

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-TAMARACK PETROLEUM CO INC								
8329021	F-08-064708	4231732487	103	RECEIVED:	03/21/83 JA: TX			
8329025	F-08-064712	4231732483	103		CAMPBELL #1 (RRC 827424)	SPRABERRY (TREND AREA	12.0	PHILLIPS PETROLEU
8329111	F-08-064890	4231732458	103		FERGUSON #1 (RRC 827334)	SPRABERRY (TREND AREA	12.0	PHILLIPS PETROLEU
8329112	F-08-064891	4231732502	103		KELLY #1 (RRC 827335)	SPRABERRY (TREND AREA	14.0	PHILLIPS PETROLEU
8329023	F-08-064710	4231732500	103		MCADAMS #1 (RRC 27493)	SPRABERRY (TREND AREA	10.0	PHILLIPS PETROLEU
8329022	F-08-064709	4231732471	103		NICHOLS UNIT #1 (RRC 27682)	SPRABERRY (TREND AREA	20.0	PHILLIPS PETROLEU
8329024	F-08-064711	4231732453	103		REID #1 (RRC 827293)	SPRABERRY (TREND AREA	10.0	PHILLIPS PETROLEU
8329024	F-08-064711	4231732453	103		WHITE #9 #1 (RRC 827189)	SPRABERRY (TREND AREA	10.0	PHILLIPS PETROLEU
-TAYLOR OPERATING COMPANY								
8328980	F-09-064632	4223700000	103	RECEIVED:	03/21/83 JA: TX			
8329089	F-09-064828	4223700000	102-4		CHERRYHOMES #1 (101930)	BOONSVILLE (BEND CONG	657.0	LONE STAR GAS CO
8329088	F-09-064827	4223700000	102-4		CRUM #1 (20436)	CRUM (MARBLE FALLS)	45.7	SOUTHWESTERN GAS
8329122	F-09-064930	4207700000	103		CRUM #2 (20436)	CRUM (MARBLE FALLS)	14.6	SOUTHWESTERN GAS
8329123	F-09-064931	4207700000	103		NOLEN #1-C (22079)	BUFFALO SPRINGS SOUTH	31.3	LONE STAR GAS CO
8329123	F-09-064931	4207700000	103		NOLEN #1-T (22078)	BUFFALO SPRINGS SOUTH	16.4	LONE STAR GAS CO
-TEXACO INC								
8329060	F-08-064797	4213500000	108	RECEIVED:	03/21/83 JA: TX			
8329070	F-08-064807	4213500000	108		ECTOR "A" FEE #1	HARPER	0.2	SHELL OIL CO
8329065	F-08-064802	4213500000	108		ECTOR "A" FEE #12	HARPER	0.2	SHELL OIL CO
8329066	F-08-064803	4213500000	108		ECTOR "A" FEE #15	HARPER	0.2	SHELL OIL CO
8329073	F-08-064810	4213500000	108		ECTOR "A" FEE #16	HARPER	0.2	SHELL OIL CO
8329064	F-08-064801	4213500000	108		ECTOR "A" FEE #18	HARPER	0.2	SHELL OIL CO
8329067	F-08-064804	4213500000	108		ECTOR "A" FEE #19	HARPER	0.4	SHELL OIL CO
8329061	F-08-064798	4213500000	108		ECTOR "A" FEE #2	HARPER	0.2	SHELL OIL CO
8329071	F-08-064808	4213500000	108		ECTOR "A" FEE #20	HARPER	0.2	SHELL OIL CO
8329068	F-08-064805	4213500000	108		ECTOR "A" FEE #22	HARPER	0.2	SHELL OIL CO
8329058	F-08-064795	4213500000	108		ECTOR "A" FEE #3	HARPER	0.2	SHELL OIL CO
8329059	F-08-064796	4213500000	108		ECTOR "A" FEE #4	HARPER	0.2	SHELL OIL CO
8329072	F-064809	4213500000	108		ECTOR "A" FEE #6	HARPER	0.2	SHELL OIL CO
8329057	F-08-064794	4213500000	108		ECTOR "A" FEE #7	HARPER	0.2	SHELL OIL CO
8329074	F-08-064811	4213500000	108		ECTOR "A" FEE #8	HARPER	0.2	SHELL OIL CO
8329069	F-08-064806	4213500000	108		ECTOR "A" FEE #9	HARPER	0.2	SHELL OIL CO
8329062	F-10-064799	4217900000	108		M A SHAW #6	PANHANDLE GRAY COUNTY	1.3	COLTEXO CORP
8329063	F-10-064800	4217900000	108		M A SHAW #7	PANHANDLE GRAY COUNTY	1.2	COLTEXO CORP
8329056	F-10-064793	4235700000	108		SAM HALCOMB #2	FARNSWORTH NORTH (MAR	3.4	PHILLIPS PETROLEU
8329124	F-04-064932	4268900000	108		YTURRIA L & L CO "A" HCT-1 #14	RAYMONDVILLE	15.0	TENNESSEE GAS PIP
-TOWNSEND CO								
8328942	F-7C-064560	4239932617	102-4	RECEIVED:	03/21/83 JA: TX			
8328973	F-7C-064617	4245130657	108	RECEIVED:	03/21/83 JA: TX			
-VALERA OIL CO								
8329154	F-7B-065041	4208300000	103	RECEIVED:	03/21/83 JA: TX			
8329154	F-7B-065041	4208300000	103		CECIL HORNE "A" #1 (14379)	COLEMAN COUNTY REGULA	0.0	UNION TEXAS PETRO
-VORTT EXPLORATION CO INC								
8328981	F-7B-064635	4236333038	102-2	RECEIVED:	03/21/83 JA: TX			
8328981	F-7B-064635	4236333038	102-2		BAUM UNIT #4 WELL #1 (ID#103386)	PALO PINTO COUNTY REG	0.0	SOUTHWESTERN GAS
-W H & S OIL CO								
8328939	F-7B-064554	4205931904	102-4	RECEIVED:	03/21/83 JA: TX			
8328940	F-7B-064555	4205932476	102-4		MCCLURE TR II #2 (15730)	NICHOLAS (DUFFER)	18.0	EL PASO HYDROCARB
8328941	F-7B-064556	4205932470	102-4		MCCLURE TR 5 #1	NICHOLAS (DUFFER)	9.0	EL PASO HYDROCARB
8328941	F-7B-064556	4205932470	102-4		MCCLURE TR 6 #1 (15702)	NICHOLAS (DUFFER)	73.0	EL PASO HYDROCARB
-W L LINDEMANN DRILLING CO								
8329091	F-09-064837	420732783	102-4	RECEIVED:	03/21/83 JA: TX			
8329091	F-09-064837	420732783	102-4		JONES #1	TALLY (CONGLOMERATE)	500.0	TEXAS UTILITIES F
-WAGNER & BROWN								
8329125	F-08-064933	4243131255	103	RECEIVED:	03/21/83 JA: TX			
8329125	F-08-064933	4243131255	103		RAY "A" #8-31	CONGER (PENN)	151.8	TEXAS UTILITIES F
-WALKER CHAS L (TX)								
8328974	F-08-064621	4210332998	103	RECEIVED:	03/21/83 JA: TX			
8328974	F-08-064621	4210332998	103		FURR-TUBB #1	SAND HILLS (JUDKINS)	50.0	WARREN PETROLEUM
-WARD OIL CO								
8329040	F-06-064742	4200100000	108	RECEIVED:	03/21/83 JA: TX			
8329040	F-06-064742	4200100000	108		VERNA LOPER GAS UNIT #1	CAYUGA (TRINITY)	19.0	LONE STAR GAS CO
-WARREN PETR CO A DIV OF GULF OIL CO								
8328882	F-08-064452	4210300817	108	RECEIVED:	03/21/83 JA: TX			
8328883	F-08-064453	4210300671	108		J B TUBB #3	SAND HILLS (JUDKINS)	3.4	EL PASO NATURAL G
8329002	F-08-064668	4210300865	108		J B TUBB "B" #39	SAND HILLS (TUBB)	5.7	EL PASO NATURAL G
8328938	F-08-064551	4210300666	108		M B MCKNIGHT #10	SAND HILLS (MCKNIGHT)	5.1	EL PASO NATURAL G
8328999	F-08-064665	4210310647	108		M B MCKNIGHT #102	SAND HILLS (JUDKINS)	8.8	EL PASO NATURAL G
8329000	F-08-064666	4210311153	108		M B MCKNIGHT #107	RUNNING W NORTH (HOLT	8.2	EL PASO NATURAL G
8329037	F-08-064550	4210300667	108		M B MCKNIGHT #11	SAND HILLS (MCKNIGHT)	5.7	EL PASO NATURAL G
8329001	F-08-064667	4210331334	108		M B MCKNIGHT #110	RUNNING W (WICHITA AL	5.8	EL PASO NATURAL G
8328936	F-08-064549	4210300669	108		M B MCKNIGHT #13	SAND HILLS (MCKNIGHT)	3.8	EL PASO NATURAL G
8328935	F-08-064548	4210300071	108		M B MCKNIGHT #15	SAND HILLS (MCKNIGHT)	5.4	EL PASO NATURAL G
8328934	F-08-064547	4210300059	108		M B MCKNIGHT #24	SAND HILLS (MCKNIGHT)	10.3	EL PASO NATURAL G
8328933	F-08-064546	4210300064	108		M B MCKNIGHT #30	SAND HILLS (MCKNIGHT)	3.7	EL PASO NATURAL G
8328932	F-08-064545	4210300008	108		M B MCKNIGHT #40	SAND HILLS (MCKNIGHT)	5.2	EL PASO NATURAL G
8328931	F-08-064544	4210300012	108		M B MCKNIGHT #44	SAND HILLS (MCKNIGHT)	4.2	EL PASO NATURAL G
8328930	F-08-064543	4210300036	108		M B MCKNIGHT #65	SAND HILLS (MCKNIGHT)	6.0	EL PASO NATURAL G
8328927	F-08-064663	4210300047	108		M B MCKNIGHT #95	SAND HILLS (MCKNIGHT)	6.0	EL PASO NATURAL G
8328928	F-08-064664	4210310336	108		M B MCKNIGHT #95	SAND HILLS (JUDKINS)	13.4	EL PASO NATURAL G
8329046	F-08-064762	4210300228	108		P J LEA #11	RUNNING W NORTH (HOLT	1.1	EL PASO NATURAL G
8329049	F-08-064765	4210333012	103		P J LEA #11	LEA (ELLENBURGER)	1.2	EL PASO NATURAL G
8329050	F-08-064766	4210333011	103		P J LEA #141	LEA (SAN ANDRES)	0.6	EL PASO NATURAL G
8329051	F-08-064767	4210333013	103		P J LEA #142	LEA (SAN ANDRES)	0.6	EL PASO NATURAL G
8329052	F-08-064768	4210333014	103		P J LEA #143	LEA (SAN ANDRES)	0.5	EL PASO NATURAL G
8329053	F-08-064769	4210333007	103		P J LEA #145	LEA (SAN ANDRES)	0.1	EL PASO NATURAL G
8329045	F-08-064761	4210300246	108		P J LEA #18	LEA SOUTH (TUBB)	1.5	EL PASO NATURAL G
8329044	F-08-064760	4210300242	108		P J LEA #25	LEA (SAN ANDRES)	2.0	EL PASO NATURAL G
8329048	F-08-064764	4210300221	108		P J LEA #5	LEA (SAN ANDRES)	3.3	EL PASO NATURAL G
8329047	F-08-064763	4210300215	108		P J LEA #7	LEA (ELLENBURGER)	1.7	EL PASO NATURAL G
8329043	F-08-064759	4210300220	108		P J LEA #85	LEA (CONNELL)	0.6	EL PASO NATURAL G
8329129	F-08-064938	4210333019	103		W M MADDELL #1229	LEA (SAN ANDRES)	2.4	EL PASO NATURAL G
8329128	F-08-064937	4210333020	103		W M MADDELL #1233	SAND HILLS (JUDKINS)	9.6	EL PASO NATURAL G
8329127	F-08-064936	4210333020	103		W M MADDELL #1234	SAND HILLS (JUDKINS)	5.9	EL PASO NATURAL G
8329126	F-08-064935	4210333028	103		W M MADDELL #1235	SAND HILLS (JUDKINS)	251.9	EL PASO NATURAL G
-WINDSOR ENERGY INC								
8328994	F-03-064658	4205132374	102-2	RECEIVED:	03/21/83 JA: TX			
8328993	F-03-064657	4228731330	102-2		G - S #1	GIDDINGS (AUSTIN CHAL	21.5	PERRY PIPELINE CO
8328993	F-03-064657	4228731330	102-2		JENSEN #6	GIDDINGS (AUSTIN CHAL	36.0	PERRY PIPELINE CO
-WINN EXPLORATION/DULCE CO								
8328952	F-01-064577	4250731796	102-4	RECEIVED:	03/21/83 JA: TX			
8328953	F-01-064578	4250731819	102-4		PRYOR RANCH #110	WINN-DULCE	0.0	VALERO TRANSMISSI
8328961	F-01-064588	4250731678	102-4		PRYOR RANCH #142	WINN-DULCE	0.0	NORTHERN NATURAL
8328960	F-01-064587	4250731684	102-4		PRYOR RANCH #72	WINN-DULCE (ELAINE)	0.0	PERMIAN CORP
8328959	F-01-064586	4250731783	102-4		PRYOR RANCH #74	WINN-DULCE (ELAINE)	0.0	PERMIAN CORP
8328958	F-01-064585	4250731682	102-4		PRYOR RANCH #76	WINN-DULCE (ELAINE)	0.0	PERMIAN CORP
8328957	F-01-064584	4250731681	102-4		PRYOR RANCH #78	WINN-DULCE	0.0	NORTHERN NATURAL
8328956	F-01-064583	4250731680	102-4		PRYOR RANCH #80	WINN-DULCE	0.0	NORTHERN NATURAL
8328955	F-01-064582	4250731685	102-4		PRYOR RANCH #82	WINN-DULCE	0.0	VALERO TRANSMISSI
8328954	F-01-064581	4250731769	102-4		PRYOR RANCH #92	WINN-DULCE	0.0	NORTHERN NATURAL
8328951	F-01-064576	4250731773	102-4		PRYOR RANCH #94	WINN-DULCE	0.0	NORTHERN NATURAL
8328976	F-01-064624	4250731763	102-4		PRYOR RANCH #96	WINN-DULCE (ELAINE)	0.0	PERMIAN CORP
8328975	F-01-064623	4250731761	102-4		PRYOR RANCH #98	WINN-DULCE (ELAINE)	0.0	PERMIAN CORP
-WJC INC								
8329020	F-08-064705	4210300000	103	RECEIVED:	03/21/83 JA: TX			
8329117	F-09-064915	4249700000	108	RECEIVED:	03/21/83 JA: TX			
8329118	F-09-064916	4249700000	108		DANSON "A" #1	WYNNE (CLFR)	91.0	PHILLIPS PETROLEU
-WOODWAY ENERGY CO								
8329114	F-06-064897	4240131228	103	RECEIVED:	03/21/83 JA: TX			
8329114	F-06-064897	4240131228	103		CARL WATSON RRC #091010	PARK SPRINGS (CONGL)	21.0	CITIES SERVICE CO
8329114	F-06-064897	4240131228	103		COY EST RRC #121	PARK SPRINGS (CONGL)	5.0	LONE STAR GAS CO
-WORLD PRODUCERS INC								
8329037	F-7B-064737	4223732118	102-4	RECEIVED:	03/21/83 JA: TX			
8329037	F-7B-064737	4223732118	102-4		M E WALLACE #1 (102015)	CHURCH HILL (TRAVIS P	220.0	DELHI GAS PIPELIN
8329037	F-7B-064737	4223732118	102-4		HALSELL 'G' #1	KEVIN (ATOKA)	11.0	SOUTHWESTERN GAS

## [Volume 873]

**Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978**

Issued: April 19, 1983.

The following notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the

Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the Federal Register.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd., Springfield, Va 22161.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease  
102-2: New well (2.5 Mile rule)  
102-3: New well (1000 Ft rule)  
102-4: New onshore reservoir  
102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper  
107-CB: Geopressured brine  
107-CS: Coal Seams  
107-DV: Devonian Shale  
107-PE: Production enhancement  
107-TF: New tight formation  
107-RT: Recompletion tight formation

Section 108: Stripper well  
108-SA: Seasonally affected  
108-ER: Enhanced recovery  
108-PB: Pressure buildup

Kenneth F. Plumb,  
Secretary.

NOTICE OF DETERMINATIONS  
Issued April 19, 1983

VOLUME 873

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
***** ARKANSAS OIL & GAS COMMISSION *****								
***** ARKANSAS OIL & GAS COMMISSION *****								
-ARKOMA PRODUCTION CO			RECEIVED:	03/22/83	JA: AR			
8329235		0308310106	102-4		WOOD #1 - C	PARIS	500.0	ARKANSAS LOUISIAN
8329234		0308310106	102-4		WOOD #1 - T	PARIS	250.0	ARKANSAS LOUISIAN
-BROCK HYDROCARBONS INC			RECEIVED:	03/22/83	JA: AR			
8329210		0303300000	102-4		BROWN #1-1-C	HOLLIS LAKE	0.0	ARKANSAS LOUISIAN
8329211		0303300000	102-4		BROWN #1-1-T	HOLLIS LAKE	0.0	ARKANSAS LOUISIAN
-GETTY OIL COMPANY			RECEIVED:	03/22/83	JA: AR			
8329236		0308310052	108		HOLLAND 3-1	CHISMVILLE	20.8	ARKANSAS LOUISIAN
-HADSON PETROLEUM CORP			RECEIVED:	03/22/83	JA: AR			
8329226		0307110244	103		CAMPBELL #2-4	SPADRA	180.0	ARKANSAS LOUISIAN
8329195		0312710020	103		EXTIE LITTLE 1-33	MANSFIELD	0.0	ARKANSAS LOUISIAN
8329194		0312700000	102-4		GRAY 1-24C	MANSFIELD	180.0	ARKANSAS LOUISIAN
8329225		0307110243	102-4		HIGGS 1-32	UNION CITY	365.0	ARKANSAS LOUISIAN
-HAWKINS OIL & GAS INC			RECEIVED:	03/22/83	JA: AR			
8329233		0308310084	103		TRICKETT #2-10-C	CHISMVILLE	200.0	ARKANSAS LOUISIAN
8329232		0308310084	103		TRICKETT #2-10-T	CHISMVILLE	150.0	ARKANSAS LOUISIAN
-JIM L HANNA DBA HANNA OIL AND GAS			RECEIVED:	03/22/83	JA: AR			
8329221		0313110201	102-4		AIRPORT #1 #1	MASSARD	0.0	
-MORAN EXPLORATION INC			RECEIVED:	03/22/83	JA: AR			
8329192		0314510007	102-2		REAPER #1	WILDCAT	0.0	ARKANSAS LOUISIAN
-OXLEY PETROLEUM CO			RECEIVED:	03/22/83	JA: AR			
8329213		0304710196	103		HUDSON #2-C	AETHA	62.0	ARKANSAS LOUISIAN
-SAMSON RESOURCES COMPANY			RECEIVED:	03/22/83	JA: AR			
8329231		0308310046	103		JANE SCOTT UNIT #1-CARPENTER	PARIS	127.0	ARKANSAS LOUISIAN
8329230		0308310046	102-4		JANE SCOTT UNIT #1-RALPH BARTON-T	PARIS	547.0	ARKANSAS LOUISIAN
-SEECO INC			RECEIVED:	03/22/83	JA: AR			
8329214		0304710215	102-4		KING #3-22	LONE ELM	0.0	ARKANSAS WESTERN
8329212		0304710206	102-4		NICHOLS #3-34	LONE ELM	100.0	ARKANSAS WESTERN
8329217		0304710202	102-4		PALMER #1-36	OZARK	100.0	ARKANSAS WESTERN
8329216		0304710193	102-4		ROE #1-7	LONE ELM	100.0	
-SKLAR & PHILLIPS OIL CO			RECEIVED:	03/22/83	JA: AR			
8329193		0309110367	102-2		PERSON #2	CYPRESS LAKE SOUTH	400.0	TEXAS EASTERN TRA
-TOWNER PETROLEUM CO			RECEIVED:	03/22/83	JA: AR			
8329209		0311510111	102-4		JOHN W HARMS #23-1 C	ROSS	1500.0	ARKANSAS LOUISIAN
8329208		0311510111	102-4		JOHN W HARMS #23-1-T	ROSS	1500.0	ARKANSAS LOUISIAN
8329207		0311510111	103		JOHN W HARMS #23-1-T	ROSS	1500.0	ARKANSAS LOUISIAN
8329219		0313110186	103		KRADEL #32-1-C	MASSARD	0.0	ARKANSAS OKLAHOMA
8329220		0313110186	103		KRADEL #32-1-T	MASSARD	0.0	ARKANSAS OKLAHOMA
8329206		0311510105	102-4		PARKER 1-12-C	MORELAND	0.0	ARKANSAS LOUISIAN
8329205		0311510105	102-4		PARKER 1-12-T	MORELAND	0.0	ARKANSAS LOUISIAN
-TXO PRODUCTION CORP			RECEIVED:	03/22/83	JA: AR			
8329227		0307110265	103		CHRISMAN #2	COAL HILL	354.4	
8329199		0311510139	102-4		HARMS "A" #1-T	ROSS	771.0	
8329198		0311510123	102-4		HOLLAND "A" #1-C	ROSS	1669.5	COLUMBIA GAS DEVE
8329197		0311510134	102-4		LYNCH #1-C	DOVER	1225.0	
8329196		0311510134	102-4		LYNCH #1-T	DOVER	1225.0	

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JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8329215		0304710184	102-4		PENDERGRASS "B" #1-C	AETHA	784.0	
8329228		0308310094	102-4		THOMPSON "L" #1-C	SCRANTON	13.1	COLUMBIA GAS DEVE
8329229		0308310094	103		THOMPSON "L" #1-T	SCRANTON	1076.3	COLUMBIA GAS DEVE
8329218		0304710226	103		TODEY #1-C	CECIL	803.3	COLUMBIA GAS DEVE
8329223		0307110262	102-4		WALTON #1	UNION CITY	1496.3	COLUMBIA GAS DEVE
WEISER-BROWN OIL COMPANY								
8329224		0307110241	102-4		RECEIVED: 03/22/83 HURLEY #1-22	UNION CITY	365.0	ARKANSAS LOUISIAN
WHITMAR EXPLORATION CO								
8329204		0311510129	102-2		RECEIVED: 03/22/83 BURNETT #1-27	OAK GROVE	300.0	ARKANSAS LOUISIAN
8329203		0311510120	102-2		FRIDELL #1-22	OAK GROVE	150.0	ARKANSAS LOUISIAN
8329202		0311510110	102-2		HAGAN #1-13	ROSS	100.0	ARKANSAS LOUISIAN
8329201		0311510090	102-4		KINDER #2-1	MORELAND	180.0	ARKANSAS LOUISIAN
8329200		0311510117	102-2		SORRELS #1-21	OAK GROVE	150.0	ARKANSAS LOUISIAN
8329222		0313100000	103		TROTTER #1-9	BONANZA	0.0	ARKANSAS LOUISIAN
*****								
LOUISIANA OFFICE OF CONSERVATION								
*****								
DAMSON OIL CORPORATION								
8329239	83-1	1700100000	102-4		RECEIVED: 03/23/83 L M HAINES #2	CROWLEY	730.0	CONTINENTAL OIL C
EXCHANGE OIL & GAS CORPORATION								
8329238	83-8	1702321433	102-4		RECEIVED: 03/23/83 CAMERON MEADOWS LAND COMPANY #43	CAMERON MEADOWS	5.5	UNITED GAS PIPE L
HOGAN EXPLORATION INC								
8329251	83-47	1705922074	102-4		RECEIVED: 03/23/83 MCHURRY #1	SOUTH JENA	40.0	MICHIGAN WISCONSI
8329252	83-46	1705922192	102-4		RECEIVED: 03/23/83 MCHURRY #2	SOUTH JENA	10.0	MICHIGAN WISCONSI
PLACID OIL COMPANY								
8329243	83-40	1705922358	102-4		RECEIVED: 03/23/83 HINKSTON #1	JENA AIRPORT	7.3	MICHIGAN WISCONSI
8329245	83-45	1705922285	102-4		IPB LLS JA 14 89 B4 RA SUB	JENA AIRPORT	124.1	MICHIGAN WISCONSI
8329248	83-42	1705922394	102-4		L JOHNSON #1	JENA AIRPORT	9.1	MICHIGAN WISCONSI
8329244	83-41	1705922383	102-4		LANEHART HEIRS #1	JENA AIRPORT	0.0	MICHIGAN WISCONSI
8329250	83-44	1705922347	102-4		MCCOY #1	JENA AIRPORT	54.8	MICHIGAN WISCONSI
8329249	83-43	1705922416	102-4		P HORACE #1	JENA AIRPORT	3.0	MICHIGAN WISCONSI
REESE OIL & GAS								
8329242	83-39	1707523061	102-4		RECEIVED: 03/23/83 WINNIFRED SMITH #1	CROOKED BAYOU	455.0	TENNESSEE GAS PIP
SUN EXPLORATION & PRODUCTION CO								
8329240	83-23	1710922431	102-4		RECEIVED: 03/23/83 VUA SL 649 NELSON LL & E #6	POINT AU FER	365.0	TRANSCONTINENTAL
SUPERIOR OIL CO								
8329246	83-6	1702321798	102-4		RECEIVED: 03/23/83 S L 344 #27	GRAND LAKE	800.0	TRUNKLINE GAS CO
TEXAS GAS EXPLORATION CORP								
8329241	83-33	1705721975	102-4		RECEIVED: 03/23/83 LAFORCE REALTY #7	LAKE ENFERMER	0.0	LOUISIANA INTRAST
TEXOIL COMPANY								
8329247	82-2680	1707523037	102-4		RECEIVED: 03/23/83 SIDNEY EYMAR #1-D	BURAS	666.0	PENDING
TXO PRODUCTION CORP								
8329253	82-821	1701320492	102-4	103	RECEIVED: 03/21/83 CONTINENTAL CAN "C" #1 PET RA SUA	LIBERTY HILL	46.0	UNITED GAS PIPE L
WEAVER EXPLORATION CO								
8329237	83-10	1710922251	102-4		RECEIVED: 03/23/83 CONTINENTAL LAND & FUR CO INC #3	ST PAUL BAYOU	360.0	TRANSCONTINENTAL
*****								
NEW MEXICO DEPARTMENT OF ENERGY & MINERALS								
*****								
ALAN J ANTWEIL								
8329321		3002527894	103		RECEIVED: 03/24/83 HERMAN #4 4-L-8-205-36E	WEST MADINE BLINDBRY	13.1	WARREN PETROLEUM
ARCO OIL AND GAS COMPANY								
8329322		3002527819	103		RECEIVED: 03/24/83 WIMBERLY #12	LANGLIE MATTIX 7 R QH	146.0	EL PASO NATURAL G
CONSOLIDATED OIL & GAS INC								
8329328		3004500000	108-PB		RECEIVED: 03/24/83 CHAVEZ #1	BLANCO MESAVERDE	0.0	EL PASO NATURAL G
8329318		3004524197	108		JAUZET #2	BASIN-DAKOTA	17.0	EL PASO NATURAL G
EL PASO NATURAL GAS COMPANY								
8329316		3004520407	108-PB		RECEIVED: 03/24/83 HUERFANO UNIT 194	BASIN-DAKOTA	0.0	EL PASO NATURAL G
8329317		3003905573	108-PB		LINDRITH PC #49	SOUTH BLANCO	0.0	EL PASO NATURAL G
8329314		3003900000	108-PB		SAN JUAN 27-5 UNIT 29	BLANCO MESA VERDE	0.0	EL PASO NATURAL G
8329312		3003907097	108-PB		SAN JUAN 28-6 UNIT 67	BLANCO - MESAVERDE	0.0	EL PASO NATURAL G
8329327		3003900000	108-PB		SAN JUAN 28-7 UNIT 250	BASIN DAKOTA	0.0	EL PASO NATURAL G
8329313		3003900000	108-PB		SAN JUAN 30-6 UNIT 41	BLANCO-MESA VERDE	0.0	EL PASO NATURAL G
8329330		3004500000	108-PB		THREE STATES A COM #1	BALLARD-PICTURED CLIP	0.0	EL PASO NATURAL G
8329329		3004506485	108-PB		TURNER B COM B	FULCHER KUTZ - PC	0.0	EL PASO NATURAL G
ELK OIL COMPANY								
8329324		3000561819	102-2		RECEIVED: 03/24/83 MEREDITH STATE COMM #1	UNDESIGNATED PENN	350.0	TRANSWESTERN PIPE
EXXON CORPORATION								
8329326		3000561586	102-2	107-TF	RECEIVED: 03/24/83 NEW MEXICO CS STATE #2	WILCAT ABO	23.0	
SOUTHLAND ROYALTY CO								
8329315		3002527238	108		RECEIVED: 03/24/83 STATE E COM #1	EUMONT	17.0	NORTHERN NATURAL
TENNECO OIL COMPANY								
8329319		3004524867	103		RECEIVED: 03/24/83 STATE COM C-6	AZTEC PICTURED CLIFFS	124.0	EL PASO NATURAL G
8329320		3004524867	103		STATE COM C-6	BLOOMFIELD CHACRA	155.0	EL PASO NATURAL G
W A MONCRIEF JR								
8329323		3001500000	102-4		RECEIVED: 03/24/83 CROOKED CREEK "A" STATE COM #1	BALDRIDGE CANYON MORR	0.0	EL PASO NATURAL G
YATES PETROLEUM CORPORATION								
8329325		3002527994	103		RECEIVED: 03/24/83 TULK "VV" ST #1	TULK PENN	0.0	
*****								
OKLAHOMA CORPORATION COMMISSION								
*****								
AMOCO PRODUCTION CO								
8329179	20656	3505920938	103		RECEIVED: 03/18/83 HIERONYMUS UNIT "C" #2	MOCANE LAVERNE (CHEST	150.0	MICHIGAN WISCONSI
8329178	20657	3505920938	103		HIERONYMUS UNIT "C" #2	MOCANE LAVERNE (MORRO	150.0	MICHIGAN WISCONSI
8329189	20655	3505921024	103		STATE OF OKLAHOMA GAS UNIT "AA" #2A	MOCANE LAVERNE - (MOR	300.0	MICHIGAN WISCONSI
AHADARKO PRODUCTION COMPANY								
8329357	20632	3500321019	103		RECEIVED: 03/24/83 CROSS #2-5	LAMBERT S E	40.0	PIONEER GAS PRODU
ANDOVER OIL COMPANY								
8329186	20617	3510720971	103		RECEIVED: 03/18/83 RUBY BLACK #10-1		72.0	TRANSOK PIPE LINE
B & M PRODUCTION								
8329386	19753	3513721831	108		RECEIVED: 03/24/83 SHERRI #1	HULEN	3.7	ENSERCH CORP
BERRY PETROLEUM CORP								
8329403	20594	3501722292	103		RECEIVED: 03/24/83 SNYDER #1-25	NW PIEDMONT	36.5	PHILLIPS PETROLEU
BOGERT OIL CO								
8329177	20660	3507323637	103		RECEIVED: 03/18/83 PAULINE #1-21	SOONER TREND	180.0	PHILLIPS PETROLEU
C J CASSELMAN								
8329392	17916	3511123348	108		RECEIVED: 03/24/83 BELISLE 1B	MORRIS	18.3	PHILLIPS PETROLEU
8329389	17913	3511123336	108		BELISLE 1B	MORRIS	18.3	PHILLIPS PETROLEU
8329394	17918	3511123340	108		BELISLE 2B	MORRIS	18.3	PHILLIPS PETROLEU
8329393	17917	3511123349	108		BELISLE 2B	MORRIS	18.3	PHILLIPS PETROLEU
8329391	17915	3511123388	108		DONEGHY 1A	MORRIS	18.3	PHILLIPS PETROLEU
8329390	17914	3511123389	108		DONEGHY 2A	MORRIS	18.3	PHILLIPS PETROLEU
CAYMAN EXPLORATION CORP								
8329160	20123	3509322466	103		RECEIVED: 03/18/83 RUTH #1		0.0	PIONEER GAS PRODU
CHARLES C HAMILTON								
8329160	20123	3509322466	103		RECEIVED: 03/24/83			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8329381	20240	3503700000	103		E BARKER #10-A		0.0	COLORADO GAS COMP
8329375	20232	3503700000	103		E BARKER #2-A		0.0	COLORADO GAS COMP
8329376	20235	3503700000	103		E BARKER #5		0.0	COLORADO GAS COMP
8329377	20236	3503700000	103		E BARKER #6-A		0.0	COLORADO GAS COMP
8329378	20237	3503700000	103		E BARKER #7-A		0.0	COLORADO GAS COMP
8329379	20238	3503700000	103		E BARKER #8-A		0.0	COLORADO GAS COMP
8329380	20239	3503700000	103		E BARKER #9-A		0.0	COLORADO GAS COMP
-CIMARRON MANAGEMENT CORP			RECEIVED:	03/24/83	JA: OK			
8329356	20631	3511721640	103		BORGHARDT #4	HALLETT	15.0	EMPIRE PIPELINE C
-CLARK RESOURCES INC			RECEIVED:	03/18/83	JA: OK			
8329176	20684	3504723141	103		RAYMOND 3-1	SOONER TREND	25.0	CITIES SERVICE CO
-CUMMINGS OIL CO			RECEIVED:	03/24/83	JA: OK			
8329360	20658	3507323557	103		WILLMS "A" #1-11		0.0	CONOCO INC
-DOWNEY OIL CO			RECEIVED:	03/24/83	JA: OK			
8329341	19647	3504921279	103		ARTHUR #1		0.0	BUCKEYE NATURAL G
8329339	19645	3504921291	103		FOWLER #1		0.0	BUCKEYE NATURAL G
8329340	19646	3504921053	103		KIMBERLIN #1		0.0	BUCKEYE NATURAL G
-DYCO PETROLEUM CORPORATION			RECEIVED:	03/18/83	JA: OK			
8329161	20105	3505921138	103		MEHSCH #1-31		80.0	NORTHERN NATURAL
-ECC OIL CO			RECEIVED:	03/24/83	JA: OK			
8329385	19474	3514721276	108		TOMMY MORGAN #1 SW/4 32-25N-14E	OGLESBY GAS	14.0	OKAN GAS CO
-EDWIN L COX			RECEIVED:	03/18/83	JA: OK			
8329174	17215	3513921595	103		BUCK #10	CARTHAGE	36.0	
-EL PASO NATURAL GAS COMPANY			RECEIVED:	03/24/83	JA: OK			
8329402	20976	3500906772	108-PB		HESTER #1			
8329395	14512	3500935560	108-PB		PUCKETT #2	SOUTH ERICK BROWN DOL	24.8	EL PASO NATURAL G
8329382	19132	3500920130	108-PB		PUCKETT A #2	ERICK SOUTH - BROWN D	18.0	EL PASO NATURAL G
-ENERGY DEVELOPMENT GROUP INC			RECEIVED:	03/24/83	JA: OK			
8329368	20477	3511100000	103		NUYAKA #3	NUYAKA	0.0	SWAB CORP
8329369	20477	3511100000	103		NUYAKA #4	NUYAKA	0.0	SWAB CORP
8329367	20475	3511100000	103		NUYAKA WELL #10	NUYAKA	0.0	SWAB CORP
8329372	20480	3511100000	103		NUYAKA WELL #11	NUYAKA	0.0	SWAB CORP
8329373	20481	3511100000	103		NUYAKA WELL #16	NUYAKA	0.0	SWAB CORP
-ENERGY RESERVES GROUP INC			RECEIVED:	03/24/83	JA: OK			
8329374	20298	3504900000	108		MILLER #2	GOLDEN TREND	10.6	WARREN PETROLEUM
-EXXON CORPORATION			RECEIVED:	03/18/83	JA: OK			
8329162	19863	3512920639	107-DP		A H DOUGLAS ESTATE #1	GRIMES	204.0	
-EXXON CORPORATION			RECEIVED:	03/24/83	JA: OK			
8329348	20633	3513722852	103		SPEAR HEIRS #4	SHO VEL TUM	114.0	GETTY OIL CO
-F C D OIL CORP			RECEIVED:	03/18/83	JA: OK			
8329173	20607	3505320880	103		KIRBY FARMS 1-36	N E POND CREEK	73.0	CRA INC
-GETTY OIL COMPANY			RECEIVED:	03/24/83	JA: OK			
8329365	20667	3501100000	107-PB		CAROLINE BENSON #1	WATONGA TREND	136.0	MUSTANG FUEL CORP
-GLENCO PETROLEUM CORP			RECEIVED:	03/18/83	JA: OK			
8329170	20462	3506321561	103		A ALLEN #2		146.0	GLENCO PIPELINE C
8329168	20460	3506321498	103		A ALLEN #6		109.5	GLENCO PIPELINE C
8329169	20461	3506321471	103		O H BOLT #2		1241.0	GLENCO PIPELINE C
-GOOD EARTH ASSOCIATES			RECEIVED:	03/24/83	JA: OK			
8329383	19278	3510525503	103		GEA #8	DUFFIELD DAVIS	30.0	ENICO PIPELINE CO
-GRACE PETROLEUM CORPORATION			RECEIVED:	03/24/83	JA: OK			
8329187	20199	3500720193	108		RIGGS 1-2	LANRENCE	0.0	MICHIGAN WISCONSI
-HARPER OIL COMPANY			RECEIVED:	03/18/83	JA: OK			
8329182	20309	3508320687	103		MAE #1	WILDCAT	7.0	EASON OIL CO
-HEARTLAND EXPLORATION INC			RECEIVED:	03/24/83	JA: OK			
8329355	20629	3504921988	103		STEWART #2-1	EAST WHITEHEAD	30.0	BUCKEYE NATURAL G
-HIAWATHA OIL CO			RECEIVED:	03/18/83	JA: OK			
8329165	19026	3504921881	102-4		MARY GRACE #1		0.0	
-INCLINE PRODUCTION CO			RECEIVED:	03/24/83	JA: OK			
8329350	20363	3503724479	103		KENNETH GREER #1	MOUNDS	1000.0	PHILLIPS PETROLEU
8329349	20362	3503724405	103		MCGUIRE #1-A	MOUNDS	1000.0	PHILLIPS PETROLEU
-J H MCNEAL OIL OPERATIONS INC			RECEIVED:	03/24/83	JA: OK			
8329333	18566	3510321576	103		GILLASPY 2A	SOUTHWEST PERRY	400.0	ARCO OIL & GAS CO
-JET OIL COMPANY			RECEIVED:	03/18/83	JA: OK			
8329172	20606	3504723130	103		BENNETT #3	WILSON	97.0	AMINOIL USA INC
-JET OIL COMPANY			RECEIVED:	03/24/83	JA: OK			
8329346	19931	3511921867	103		GODE #1	LANGSTON	9.0	EASON OIL CO
-JOHN A TAYLOR			RECEIVED:	03/24/83	JA: OK			
8329364	23237	3501521202	107-DP		C C WEAVER #1		0.0	
-JOHN L COX			RECEIVED:	03/18/83	JA: OK			
8329181	20299	3508720722	103		MARY GREEN #1	DIBBLE	0.0	SUN GAS CO
-JORDAN OIL & GAS COMPANY			RECEIVED:	03/24/83	JA: OK			
8329406	21382	3504521040	107-TF		STUBBS	GAGE SOUTH	55.0	TRANSWESTERN PIPE
-KEITH F WALKER			RECEIVED:	03/18/83	JA: OK			
8329184	20497	3508577462	103		ALEXANDER #2		36.5	AMINOIL USA INC
-LARIO OIL & GAS COMPANY			RECEIVED:	03/24/83	JA: OK			
8329334	19348	3504900000	103		C BURR #12	WEST WHITEHEAD	4.5	BUCKEYE NATURAL G
8329336	19350	3504900000	103		C BURR #6	WEST WHITEHEAD	62.0	BUCKEYE NATURAL G
8329335	19349	3504920663	103		C BURR #9	WEST WHITEHEAD	25.5	BUCKEYE NATURAL G
8329338	19352	3504900000	103		MORRIS #1	WEST WHITEHEAD	27.4	BUCKEYE NATURAL G
8329337	19351	3504900000	103		MORRIS #2	WEST WHITEHEAD	22.8	BUCKEYE NATURAL G
-M S KLOTZMAN EXPLORATION			RECEIVED:	03/24/83	JA: OK			
8329347	20210	3511122133	103		BURGESS #5	SCHULTER	16.0	SCHULTER GATHERIN
8329346	20209	3511121471	103		HENRY #7	SCHULTER	10.0	SCHULTER GATHERIN
8329345	20207	3511121346	103		MATTHEWS #1	SCHULTER	12.0	SCHULTER GATHERIN
-MAPCO PRODUCTION COMPANY			RECEIVED:	03/24/83	JA: OK			
8329363	21207	3513900000	108		JANZEN C NO 1		7.3	NORTHERN NATURAL
-MARK E WEIDLER			RECEIVED:	03/24/83	JA: OK			
8329351	20602	3511922023	103		STATE #1		45.0	ENTERPRISE DEVELO
-MCKENNY ENERGY LTD			RECEIVED:	03/24/83	JA: OK			
8329342	19875	3511921961	103		LAFON #1	ORLANDO	12.0	EASON OIL CO
-MOBIL OIL CORP			RECEIVED:	03/18/83	JA: OK			
8329190	20642	3501900000	108		C F ADAMS #31	SHO VEL TUM	0.3	LONE STAR GAS CO
-MONSANTO OIL CO			RECEIVED:	03/18/83	JA: OK			
8329183	20393	3507323568	103		FRANKS #1		50.0	
-MORAN EXPLORATION INC			RECEIVED:	03/24/83	JA: OK			
8329384	19403	3501722288	102-2		LAWSON #3	EL RENO	0.0	PHILLIPS PETROLEU
-MPH OIL & GAS			RECEIVED:	03/24/83	JA: OK			
8329371	20479	3511100000	103		SACKS #6	NUYAKA	0.0	SWAB CORP
8329370	20478	3511100000	103		SACKS #7	NUYAKA	0.0	SWAB CORP
-NATIONAL OIL COMPANY			RECEIVED:	03/18/83	JA: OK			
8329167	18628	3507920429	102-4 103		DUNCAN #1-21	WILDCAT	365.0	TENNESSEE GAS PIP
-PCX CORP			RECEIVED:	03/24/83	JA: OK			
8329366	23674	3501521124	107-DP		FINNEY #1	WILDCAT	0.0	EL PASO NATURAL G
8329405	23643	3501521277	107-DP		L G BOONE #1		0.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-PETRO-ENERGY EXPLORATION INC			RECEIVED:	03/18/83	JA: OK			
8329185	20300	3504723088	103		LEGRAND #2-1	SOUTH DOUGLAS	100.0	WELLHEAD ENTERPRI
8329164	19452	3515121284	103		OLSON #1-13	N E WAYNOKA	100.0	PANHANDLE EASTERN
-SAMSON RESOURCES COMPANY			RECEIVED:	03/24/83	JA: OK			
8329388	18612	3507920456	102-4		MONTANA #1	KINTA	328.5	ARKANSAS LOUISIAN
-SERVICE DRILLING CO			RECEIVED:	03/24/83	JA: OK			
8329358	20635	3511900000	101		REYES #3-19		547.5	CITIES SERVICE GA
-SUN OIL CO			RECEIVED:	03/24/83	JA: OK			
8329397	10066	3511900000	108		BROYLES UNIT #1	BROYLES	4.0	CITIES SERVICE GA
8329398	10067	3511900000	108		BROYLES UNIT #4-5	BROYLES	5.0	CITIES SERVICE GA
8329396	10065	3511900000	108		HOWARD #1	BROYLES	1.0	CITIES SERVICE GA
8329401	10071	3511900000	108		KINZIE #1	BROYLES	0.0	CITIES SERVICE GA
8329400	10070	3511900000	108		SCHUTKESTING #1	BROYLES	2.0	CITIES SERVICE GA
8329399	10069	3511900000	108		SCHUTKESTING #2	BROYLES	2.0	CITIES SERVICE GA
-SUNDANCE ENERGY CORP			RECEIVED:	03/18/83	JA: OK			
8329163	19882	3504721781	101		MEIER #1	S HUNTER	14.6	ARCO OIL & GAS CO
-TENNECO OIL COMPANY			RECEIVED:	03/24/83	JA: OK			
8329361	20662	3510321717	103		S LONE ELM CLEVELAND SAND UT #72	SOUTH LONE ELM	1.0	AMINHOIL U S A INC
8329362	20663	3510321708	103		S LONE ELM CLEVELAND SAND UT #80	SOUTH LONE ELM	1.0	AMINHOIL U S A INC
-TOWNER PETROLEUM CO			RECEIVED:	03/24/83	JA: OK			
8329331	17890	3507323457	103		BOTHWELL #17-1	N OKARCHE	0.0	PHILLIPS PETROLEU
8329332	17891	3507323448	103		JANE HOWELL #17-1	N OKARCHE	0.0	PHILLIPS PETROLEU
-TULSA PETROLEUM RESOURCES INC			RECEIVED:	03/24/83	JA: OK			
8329353	20622	3510721322	103		ELIAS-ADAMS #2		5.0	KERR-MCGEE CORP
8329352	20621	3510721431	103		ELIAS-REPLUGLE #3		3.0	KERR-MCGEE CORP
8329354	20623	3510721426	103		REPLUGLE #2 107-76486		3.0	KERR-MCGEE CORP
-TXO PRODUCTION CORP			RECEIVED:	03/18/83	JA: OK			
8329166	18774	3504321342	103		POWERS WHEATLEY #1	PUTNAM	30.0	DELHI GAS PIPELIN
-UNION VALLEY RESOURCES LTD			RECEIVED:	03/18/83	JA: OK			
8329191	20620	3511100000	103		ENDRES 1-A	NORTH MORRIS	97.3	PHILLIPS PETROLEU
8329187	20619	3511100000	103		FISHES #1	NUYAKA	37.6	PHILLIPS PETROLEU
-VANSCO EXPLORATION INC			RECEIVED:	03/24/83	JA: OK			
8329359	20646	3510720940	103		BRIMER #1	LAST CHANCE	10.0	GOLDEN ARROW GAS
-VIERSEN & COCHRAN			RECEIVED:	03/18/83	JA: OK			
8329180	20289	3504721454	103		EGGERS- BARBEE UNIT #4	SOONER TREND	35.0	CHAMPLIN PETROLEU
8329188	20288	3504721540	103		EGGERS-BODES UNIT #4	SOONER TREND	20.0	CHAMPLIN PETROLEU
-VULCAN ENERGY CORP			RECEIVED:	03/18/83	JA: OK			
8329175	20106	3507323326	103		HOSKINS #2	SOONER TREND	73.0	PHILLIPS PETROLEU
-WALKER CORP			RECEIVED:	03/18/83	JA: OK			
8329171	20499	3501722298	103		BRISCOE 7-2	YUKON	102.0	CONOCO INC
-WALKER CORP			RECEIVED:	03/24/83	JA: OK			
8329404	20536	3501722293	103		WEBER 7-2	YUKON	29.0	CONOCO INC
-WESTERN PACIFIC PETROLEUM INC.			RECEIVED:	03/24/83	JA: OK			
8329343	19901	3507122523	103		BULL #2-16	SOUTHEAST BRAMEN	237.3	JOE L THOMPSON IN
*****								
WEST VIRGINIA DEPARTMENT OF MINES								
*****								
-A B SIMMONS GAS CO			RECEIVED:	03/24/83	JA: WV			
8329289	4708504400	108			A B SIMMONS H-789	GRANT DISTRICT	10.0	CONSOLIDATED GAS
-BEREA OIL AND GAS CORPORATION			RECEIVED:	03/24/83	JA: WV			
8329269	4700121250	108			A J GRIFFITH #1	VALLEY	69.3	CONSOLIDATED GAS
8329270	4700121382	108			FOSTER-SHOMO #1	VALLEY	69.7	CONSOLIDATED GAS
8329268	4700121512	108			R GEORGE #1	VALLEY	65.0	CONSOLIDATED GAS
8329263	4700101386	108			R J HESSE #1	VALLEY	63.0	CONSOLIDATED GAS
-CABOT OIL & GAS CORP			RECEIVED:	03/24/83	JA: WV			
8329294	4701501157	108			DINGESS RUM COAL CO #1	PLEASANT DISTRICT	6.5	CABOT CORP
8329295	4701501158	108			DINGESS RUM COAL CO #2	PLEASANT DISTRICT	6.5	CABOT CORP
8329296	4701501159	108			DINGESS RUM & COAL CO #3	PLEASANT DISTRICT	75.9	CABOT CORP
8329307	4706700361	108			FEDERAL COAL A-2	JEFFERSON	12.1	CABOT CORP
8329308	4706700362	108			FEDERAL COAL CO A-3	JEFFERSON DISTRICT	12.1	CABOT CORP
8329297	4706700342	108			G D HEROLD #1	JEFFERSON	10.5	CABOT CORP
8329298	4706700343	108			G D HEROLD #2	JEFFERSON	10.5	CABOT CORP
8329306	4706700344	108			G D HEROLD #3	JEFFERSON DISTRICT	10.5	CABOT CORP
8329291	4701561150	108			R E LESUEUR #2	PLEASANT DISTRICT	8.4	CABOT CORP
8329292	4701501155	108			R E LESUEUR #3	PLEASANT DISTRICT	8.4	CABOT CORP
8329293	4701501156	108			R E LESUEUR #4	PLEASANT DISTRICT	8.4	CABOT CORP
-CLAY KRENN GAS CO			RECEIVED:	03/24/83	JA: WV			
8329288	4701702607	108			CLAY KRENN H-957	NEW MILTON DISTRICT	20.0	CONSOLIDATED GAS
-GLENN L HAUGHT & SONS			RECEIVED:	03/24/83	JA: WV			
8329280	4708503828	108			GLENN L HAUGHT & SONS	MURPHY DISTRICT	19.4	CONSOLIDATED GAS
8329287	4708504356	108			HAYWARD SUMMERS H-791	UNION DISTRICT	20.0	CONSOLIDATED GAS
8329282	4708504478	108			STANLEY H-923	GRANT DISTRICT	2.1	CONSOLIDATED GAS
-HAUGHT INC			RECEIVED:	03/24/83	JA: WV			
8329283	4708505016	108			EMERY MASON-TOM MASON H-1174	UNION DISTRICT	2.5	CONSOLIDATED GAS
8329284	4708505029	108			H L & C A WILSON H-1169	GRANT DISTRICT	15.0	CONSOLIDATED GAS
8329254	4701702819	108			J N MARKEY H-1046	CENTRAL DISTRICT	12.0	COLUMBIA GAS TRAN
8329276	4708504392	108			RUFUS TAYLOR H-850	UNION DISTRICT	1.1	CONSOLIDATED GAS
-HAUGHT-EVANS GAS CO H-759			RECEIVED:	03/24/83	JA: WV			
8329256	4708504537	108			PANSY LEMON EVANS H-759	MURPHY DISTRICT	15.0	CONSOLIDATED GAS
-JAMES F SCOTT			RECEIVED:	03/24/83	JA: WV			
8329267	4703301113	108			REYNOLDS #4 S-210	COAL	21.0	CONSOLIDATED GAS
-LENA CARR HEIRS GAS CO			RECEIVED:	03/24/83	JA: WV			
8329277	4708504387	108			LENA CARR HRS H-803	CLAY DISTRICT	3.4	CONSOLIDATED GAS
-MAXUM DRILLING PROGRAM			RECEIVED:	03/24/83	JA: WV			
8329286	4708504363	108			L N STANLEY H-802	UNION DISTRICT	24.0	CONSOLIDATED GAS
-MOUNTAINEER 1979-B			RECEIVED:	03/24/83	JA: WV			
8329255	4708504759	108			JAMES SIMMONS H-970	GRANT DISTRICT	20.0	CONSOLIDATED GAS
8329281	4708504760	108			JAMES SIMMONS H-979	GRANT DISTRICT	20.0	CONSOLIDATED GAS
-NRM PETROLEUM CORPORATION			RECEIVED:	06/22/82	JA: WV			
8329301	4709702378	103			DAVIDSON #1	CAVE RUN	0.0	COLUMBIA GAS TRAN
-NRM PETROLEUM CORPORATION			RECEIVED:	03/24/83	JA: WV			
8329262	4708300577	103			ANDREWS A #1	ELLAMORE	0.0	COLUMBIA GAS TRAN
8329299	4709702384	103			BROKE #2	HINKLEVILLE	0.0	COLUMBIA GAS TRAN
8329304	4709702369	103			CRAIG #1		0.0	COLUMBIA GAS TRAN
8329311	4704103136	103			HERSMAN #1		0.0	COLUMBIA GAS TRAN
8329260	4709702228	103			HINKLE #1		0.0	COLUMBIA GAS TRAN
8329259	4709702346	103			JIMMIE WOODY #1	QUEENS	0.0	COLUMBIA GAS TRAN
8329257	4709702348	103			JIMMIE WOODY #3	QUEENS	0.0	COLUMBIA GAS TRAN
8329261	4708300589	103			KEENER	ELLAMORE	0.0	COLUMBIA GAS TRAN
8329303	4709702373	103			SHETLAND #1		0.0	COLUMBIA GAS TRAN
8329302	4709702374	103			SHETLAND #2	TALLMANVILLE	0.0	COLUMBIA GAS TRAN
8329305	4709702367	103			SHALLRIDGE A #2	QUEENS	0.0	COLUMBIA GAS TRAN
8329300	4709702382	103			TURNER #1	TALLMANVILLE	0.0	COLUMBIA GAS TRAN
8329258	4709702347	103			WOODY #2		0.0	COLUMBIA GAS TRAN



JD NO	JA DKT	API NO	D SEC(1) SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8329266		4709702351	103	WOODY "A" #1		0.0	COLUMBIA GAS TRAN
8329265		4709702352	103	WOODY "A" #2		0.0	COLUMBIA GAS TRAN
-PETRO-LEWIS CORPORATION			RECEIVED:	03/24/83 JA: WV			
8329271		4708300132	108	WELLS #2	ROARING CREEK DISTRICT	0.3	COLUMBIA GAS TRAN
8329272		4708300133	108	WELLS #3	ROARING CREEK DISTRICT	0.2	COLUMBIA GAS TRAN
-RAINBOW 1 2 & 3-1979			RECEIVED:	03/24/83 JA: WV			
8329285		4708504519	108	CLIFF WILSON H-930	CLAY DISTRICT	30.0	CONSOLIDATED GAS
8329309		4701702640	108	HENRY STAARMAN H-971	COVE DISTRICT	30.0	CONSOLIDATED GAS
-RAINBOW 4, 5 & 6-1980			RECEIVED:	03/24/83 JA: WV			
8329278		4701702641	108	HENRY STAARMAN H-972	COVE DISTRICT	30.0	CONSOLIDATED GAS
8329279		4701702642	108	HENRY STAARMAN H-973	COVE DISTRICT	30.0	CONSOLIDATED GAS
-RAINBOW 7 8 & 9 80 LTD			RECEIVED:	03/24/83 JA: WV			
8329310		4708504808	108	BERNARD RICHARDS H-997	CLAY DISTRICT	20.0	CONSOLIDATED GAS
-RALPH WILSON GAS CO			RECEIVED:	03/24/83 JA: WV			
8329290		4708504394	108	RALPH WILSON H-853	GRANT DISTRICT	3.0	CONSOLIDATED GAS
-TRIO PETROLEUM CORP			RECEIVED:	03/24/83 JA: WV			
8329274		4700701359	108	BAKER #1	CHAPEL-GERMAN	18.0	COLUMBIA GAS TRAN
8329275		4700701361	108	OKEY DEAN #1	CHAPEL-GERMAN	6.0	COLUMBIA GAS TRAN
8329273		4702103549	108	SKEET #1	GLENVILLE-NORTH	10.0	COLUMBIA GAS TRAN
-WARREN ASSOCIATES INC			RECEIVED:	03/24/83 JA: WV			
8329264		4708504547	107-DV	CHESTER LEMON H-864	MURPHY DISTRICT	18.0	CONSOLIDATED GAS

[FR Doc. 83-10783 Filed 4-21-83; 8:45 am]

BILLING CODE 8717-01-C

[Volume No. 874]

**Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978**

Issued: April 19, 1983.

The following notices of determinations were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public

Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register**.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd., Springfield, Va. 22161.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease  
102-2: New well (2.5 Mile rule)

102-3: New well (1000 Ft rule)  
102-4: New onshore reservoir  
102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper  
107-GB: Geopressured brine  
107-CS: Coal Seams  
107-DV: Devonian Shale  
107-PE: Production enhancement  
107-TF: New tight formation  
107-RT: Recompletion tight formation

Section 108: Stripper well  
108-SA: Seasonally affected  
108-ER: Enhanced recovery  
108-PB: Pressure buildup

Kenneth F. Plumb,  
Secretary.

NOTICE OF DETERMINATIONS  
Issued April 19, 1983

VOLUME 874

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
*****								
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION								
*****								
-AMERICAN PENN ENERGY INC			RECEIVED:	03/25/83	JA: NY			
8329421	2608	3102915431	107-TF		A & S BLASZ #1 (1446)	BRANT	10.0	NATIONAL FUEL GAS
8329429	2610	3102915809	107-TF		BALLARD DAIRY FARMS #1 (1497)		10.0	NATIONAL FUEL GAS
8329422	2605	3102914539	107-TF		EVANS ROD & GUN CLUB UNIT #1 (1417)	EVANS	10.0	NATIONAL FUEL GAS
8329445	3449	3102917034	107-TF		GRUPP UNIT #1 (1526)	EVANS	0.0	NATIONAL FUEL GAS
8329424	2602	3102915761	107-TF		J L BENZ #1 (1324)		10.0	NATIONAL FUEL GAS
8329423	2604	3102915808	107-TF		L RUMFOLA UNIT #1 (1394)		10.0	NATIONAL FUEL GAS
8329420	2603	3102915742	107-TF		N BARRIER UNIT #1 (1392)		10.0	NATIONAL FUEL GAS
8329428	2609	3102915810	107-TF		USYK - SPENGLER UNIT #2 (1493)		10.0	NATIONAL FUEL GAS
-ARAPAH0 VENTURES OF NEW YORK INC			RECEIVED:	03/25/83	JA: NY			
8329460	3615	3112113891	107-TF		DAVID SHEARING #1	WILDCAT	20.8	COLUMBIA GAS TRAN
8329444	3622	3112113919	107-TF		FRANK LABIN #1	WILDCAT	4.2	COLUMBIA GAS TRAN
8329459	3623	3112113892	107-TF		LESTER WILKIE #2	WILDCAT	3.3	COLUMBIA GAS TRAN
8329463	3624	3112113915	107-TF		LESTER WILKIE #3	WILDCAT	6.5	COLUMBIA GAS TRAN
8329461	3620	3112113888	107-TF		PETER KRAMELL #1	WILDCAT	8.0	COLUMBIA GAS TRAN
8329462	3621	3112113889	107-TF		PETER KRAMELL #2	WILDCAT	13.0	COLUMBIA GAS TRAN
-ARAPAH0 VENTURES OF NEW YORK INC			RECEIVED:	03/28/83	JA: NY			
8329469	5058	3112113713 D	107-RT		GORDON PIERSON #2	WILDCAT	3.3	COLUMBIA GAS TRAN
8329468	5060	3112113659 D	107-RT		JAMES DUKELOW #1	WILDCAT	15.0	COLUMBIA GAS TRAN
-CONSOLIDATED EXPLORATION & GATHERIN			RECEIVED:	03/25/83	JA: NY			
8329418	2623	3102916372	107-TF		LAMB UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8329417	2612	3102916302	107-TF		LASOTA UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8329419	2611	3102916451	107-TF		VFW UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
-ENERGY OIL INC			RECEIVED:	03/25/83	JA: NY			
8329425	1375	3102914576	107-TF		BERGHORN #1	ALDEN FIELD	55.0	TENNESSEE GAS PIP
8329427	1371	3102914412	107-TF		RUPP #1	REDIMA	14.0	NATIONAL FUEL GAS
8329426	1373	3102914811	107-TF		WENDE #1	ALDEN FIELD	45.0	TENNESSEE GAS PIP
-LENAPE RESOURCES CORP			RECEIVED:	03/25/83	JA: NY			
8329441	3181	3105116143	107-TF		CARROLL S BICKFORD #1 LRC #70	CALEDONIA	20.0	NEW JERSEY NATURA
8329447	3183	3105116142	107-TF		E C DALEY NO 1 LRC #72	CALEDONIA	20.0	NEW JERSEY NATURA
8329446	3178	3105116140	107-TF		E WYAND #1 LRC #63	CALEDONIA	20.0	NEW JERSEY NATURA
8329442	3184	3105116131	107-TF		GERALD F PRINGLE #1 LRC #74	CALEDONIA	20.0	NEW JERSEY NATURA
8329433	2828	3105116107	107-TF		J J WADSWORTH #4 LRC #56	CALEDONIA	20.0	NEW JERSEY NATURA
8329434	2829	3105116108	107-TF		J J WADSWORTH #5 LRC #57	FINNEGAN HILL	20.0	NEW JERSEY NATURA
8329435	2830	3105116109	107-TF		J J WADSWORTH #6 LRC #58	FINNEGAN HILL	20.0	NEW JERSEY NATURA
8329436	2831	3105116114	107-TF		J J WADSWORTH #7 LRC #59	FINNEGAN HILL	20.0	NEW JERSEY NATURA
8329431	2826	3105114169	107-TF		J J WADSWORTH EST #2 LRC #31	FINNEGAN HILL	14.7	NEW JERSEY NATURA
8329432	2827	3105114170	107-TF		J J WADSWORTH EST #3 LRC #32	FINNEGAN HILL	21.2	NEW JERSEY NATURA
8329451	3179	3105116137	107-TF		J R DALEY UNIT #1 LRC #65	CALEDONIA	20.0	NEW JERSEY NATURA
8329439	3188	3105116124	107-TF		J SKELLY #1 LRC #80	CALEDONIA	20.0	NEW JERSEY NATURA
8329438	2833	3105116105	107-TF		L L CALLAN #1 LRC	FINNEGAN HILL	20.0	NEW JERSEY NATURA
8329430	2834	3105116106	107-TF		L L CALLAN #2 LRC #62	FINNEGAN HILL	20.0	NEW JERSEY NATURA
8329464	3455	3105114450	107-TF		LRC #44 - CRIPPS #1	UHLEY CORNERS	20.0	NEW JERSEY NATURA
8329449	3185	3105116145	107-PE		S J MACY #1 LRC #75	CALEDONIA	20.0	NEW JERSEY NATURA
8329450	3186	3105116146	107-TF		S J MACY UNIT #1 LRC #77	CALEDONIA	20.0	NEW JERSEY NATURA
8329437	2832	3105116104	107-TF		T P LINDER #1 LRC #60	FINNEGAN HILL	20.0	NEW JERSEY NATURA

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8329448	3180	3105116135		107-TF		W J REID UNIT #1 LRC #66	CALEDONIA	20.0	NEW JERSEY NATURA
8329443	3182	3105116134		107-TF		WILLIAM S DEARCOP #1 LRC #71	CALEDONIA	20.0	NEW JERSEY NATURA
8329440	3187	3105116125		107-TF		79 - L D'ANGELO #1 LRC #79	CALEDONIA	20.0	NEW JERSEY NATURA
-NORD/MONTARA PETROLEUM CO						RECEIVED: 03/25/83	JA: NY		
8329466	2574	3112113960		107-TF		CAPELLINO UNIT #1	JAVA	25.0	COLUMBIA GAS TRAN
8329465	2575	3112113727		107-TF		KEPP UNIT #1	JAVA	25.0	COLUMBIA GAS TRAN
8329467	2581	3112113789		107-TF		MURCIN UNIT #1	JAVA	25.0	COLUMBIA GAS TRAN
-SHARON RESOURCES INC						RECEIVED: 03/25/83	JA: NY		
8329457	3019	3112115384		107-TF		ELVYN L REISDORF #1 (31-121-15384)	STRYKERSVILLE	10.5	COLUMBIA GAS TRAN
8329454	3018	3112115852		107-TF		G METZGER #1 (31-121-15852)	STRYKERSVILLE	12.0	COLUMBIA GAS TRAN
8329453	3017	3112115677		107-TF		JOHN KERWIN #1 (31-121-15677)	STRYKERSVILLE	15.8	COLUMBIA GAS TRAN
8329458	3010	3112116271		107-TF		LEO BARTZ #2 (31-121-16271)	STRYKERSVILLE	10.5	COLUMBIA GAS TRAN
8329456	3016	3112116071		107-TF		R HIBSCH #1 (31-121-16071)	STRYKERSVILLE	10.5	COLUMBIA GAS TRAN
8329455	3015	3112116057		107-TF		R KIRSCH #1 (31-121-16057)	STRYKERSVILLE	15.5	COLUMBIA GAS TRAN
8329452	3020	3112115769		107-TF		ROBERT PINGREY #1 (31-121-15769)	STRYKERSVILLE	15.5	COLUMBIA GAS TRAN
-SHAWNEE EXPLORATION INC						RECEIVED: 03/25/83	JA: NY		
8329416	2622	3102916447		107-TF		GERNATT UNIT #1	BRANT	15.0	SCG GAS QUEST INC
8329410	2614	3102916517		107-TF		MILIUS UNIT #1	BRANT	15.0	SCG GAS QUEST INC
8329409	2619	3102916518		107-TF		P J PHILLIPS #1	BRANT	15.0	SCG GAS QUEST INC
8329408	2621	3102916522		107-TF		R TAYLOR #1	BRANT	15.0	SCG GAS QUEST INC
8329407	2628	3102916512		107-TF		RENAUDO UNIT #1	BRANT	15.0	SCG GAS QUEST INC
8329414	2615	3102916449		107-TF		TURNBULL UNIT #1	BRANT	15.0	SCG GAS QUEST INC
8329415	2613	3102916448		107-TF		VACCO UNIT #1	BRANT	15.0	SCG GAS QUEST INC
8329411	2617	3102916351		107-TF		WAY-PHILLIPS UNIT #1	BRANT	15.0	SCG GAS QUEST INC
8329413	2616	3102916352		107-TF		WAY-PHILLIPS UNIT #2	BRANT	15.0	SCG GAS QUEST INC
8329412	2618	3102916353		107-TF		WAY-PHILLIPS UNIT #3	BRANT	15.0	SCG GAS QUEST INC
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JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-EXXON CORPORATION					RECEIVED: 03/28/83 JA: TX			
8329605	F-09-064614	4245730337	102-4		EAST TEXAS OIL CO FEE '0' 89	HICKSBAUGH (WILCOX 4-	180.0	ARMCO STEEL CORP
8329581	F-08-064041	4200333390	103		MEANS-QUEEN #1 OIL UNIT #1553	MEANS (QUEEN SAND)	15.0	PHILLIPS PETROLEU
8329518	F-7C-060651	4208131107	103		SALLIE ODOM E 894	FORT CHADBOURNE WEST	7.0	
8329685	F-04-065277	4213135861	103		V KOHLER A-144 809632	KOHLER M E (MIRANDO #	2.6	TENNESSEE GAS PIP
8329620	F-04-064838	4213135868	103		V KOHLER A-153 (09632)	KOHLER M E (MIRANDO #	9.8	TENNESSEE GAS PIP
-FARGO TRADING CO INC					RECEIVED: 03/28/83 JA: TX			
8329534	F-04-062084	4248900000	102-4		YTURRIA CATTLE COMPANY #2	LA SARA (3850')	1368.0	TENNESSEE GAS PIPE
-FIRST DALLAS OIL & GAS CORP					RECEIVED: 03/28/83 JA: TX			
8329525	F-7B-060789	4219300000	103		BOLKEMA #1	POTTSVILLE	0.0	LONE STAR GAS CO
-G & S INC					RECEIVED: 03/28/83 JA: TX			
8329575	F-10-063891	4235731293	102-4		FAGG 146-C	RICKS (MORROW UPPER)	5.0	DELHI GAS PIPELIN
-GETTY OIL COMPANY					RECEIVED: 03/28/83 JA: TX			
8329502	F-06-058271	4236500000	108-ER		WERNER-STEVENSON #1 ID # 15826	CARTHAGE (PALUXY)	13.0	TEXAS GAS TRANSMI
-GILLRINO OIL CO					RECEIVED: 03/28/83 JA: TX			
8329644	F-04-065166	4204700000	108		D J SULLIVAN IV #2 - ID 095069	ANN MAG/FRIO-VICKSBUR	12.0	TENNESSEE GAS PIP
8329643	F-04-065165	4235500000	108		WINFIELD A 4 ID 009006	AGUA DULCE/WINFIELD A	21.0	TENNESSEE GAS PIP
-GOLDKING PRODUCTION COMPANY					RECEIVED: 03/28/83 JA: TX			
8329511	F-03-059405	4220100000	103		EMORY M MARKS #1	JOYCE RICHARDSON	119.0	HOUSTON PIPE LINE
-GRAHAM PRODUCTION CO					RECEIVED: 03/28/83 JA: TX			
8329622	F-03-064843	4248132390	102-4		TRIPULAS #1	MARY MACHA (FRIO 4350	146.0	LONE STAR GAS CO
-GULF OIL CORPORATION					RECEIVED: 03/28/83 JA: TX			
8329658	F-03-065192	4215731265	103		A E MYERS #32	THOMPSON	41.6	UNITED TEXAS TRAN
8329657	F-03-065191	4204130499	103		HOLUBEC UNIT I #1	KURTEN (WOODBINE)	4.0	PRODUCERS GAS CO
8329655	F-03-065189	4204130558	103		HOLUBEC UNIT II #1	KURTEN (WOODBINE)	11.0	PRODUCERS GAS CO
8329641	F-09-065133	4218130792	108		ROBERT TATE #1	N E SOUTHMAID/DAVIS L	8.0	LONE STAR GAS CO
8329656	F-03-065190	4204130485	103		SHEALY UNIT II #1	KURTEN (WOODBINE)	13.0	PRODUCERS GAS CO
8329689	F-08-054737	4249501185	108-ER		SOUTH KEYSTONE ELLEN/ UNIT #1050	KEYSTONE (ELLENBURGER	73.0	CABOT CORP
-HANSON MINERALS CO					RECEIVED: 03/28/83 JA: TX			
8329607	F-02-064732	4225530893	102-3		KOHLER GAS UNIT #2	MALO DOMINGO (10,450'	730.0	UNITED TEXAS TRAN
-HARRIS R FENDER					RECEIVED: 03/28/83 JA: TX			
8329623	F-06-064993	4242330638	102-4		CRAIG N STEED #1	DRISKELL LAKE (RODESS	38.0	LONE STAR GAS CO
-HILL J D & YOST GARY					RECEIVED: 03/28/83 JA: TX			
8329551	F-01-063339	4217730433	102-2		LESTER T E 05711	COST (AUSTIN CHALK)	8.0	TIPPERARY GATHERI
-HOUSTON OIL & MINERALS CORPORATION					RECEIVED: 03/28/83 JA: TX			
8329565	F-03-063565	4236100000	102-4		STATE TRACT 3 #1	PROPOSED N SABINE LAK	0.0	PRODUCER GAS CO
-HURLEY PETROLEUM CORPORATION					RECEIVED: 03/28/83 JA: TX			
8329627	F-08-065182	4236531517	103		SCOTT MCGEE UNIT #3	BETHANY (COTTON VALLE	0.0	TENNESSEE GAS PIP
-INDIAN WELLS OIL CO					RECEIVED: 03/28/83 JA: TX			
8329653	F-7C-065184	4223531982	102-2		SMITH 59-2	PROBANDT CANYON	0.0	NORTHERN NATURAL
-INDREX INC					RECEIVED: 03/28/83 JA: TX			
8329612	F-10-064758	4248330968	103		FRYE RANCH #1	FRYE (GRANITE WASH)	200.0	ARKANSAS LOUISIAN
-INEXCO OIL COMPANY					RECEIVED: 03/28/83 JA: TX			
8329497	F-03-057110	4220131379	102-3		KELLY BROCK #1-E	GREENS BAYOU FIELD (Y	400.0	LONE STAR GAS CO
-J M HUBER CORPORATION					RECEIVED: 03/28/83 JA: TX			
8329651	F-10-065179	4223300000	103		MAGNOLIA HERRING #2	WEST PANHANDLE	11.0	COLORADO INTERSTA
8329650	F-10-065178	4223300000	108		MAGNOLIA HERRING #4	WEST PANHANDLE	15.0	COLORADO INTERSTA
8329649	F-10-065177	4206530620	108		MOORE #1A	WEST PANHANDLE	14.0	COLORADO INTERSTA
8329619	F-10-064792	4223331490	103		READ #27	PANHANDLE	58.0	COLORADO INTERSTA
-JACK F GRIMM					RECEIVED: 03/28/83 JA: TX			
8329602	F-8A-064437	4210130336	102-4		B J BROMNING #2	INDEPENDENT (BEND CON	809.0	LONE STAR GAS CO
-JACK L KIRBY					RECEIVED: 03/28/83 JA: TX			
8329606	F-08-064661	4213534089	103		COWDEN #1 WELL	COWDEN SOUTH (CANYON	14.6	
-JAMES K ANDERSON INC					RECEIVED: 03/28/83 JA: TX			
8329611	F-7C-064794	4239932502	102-4		DAVENPORT #3	MYRNA LYNN (GARDNER)	200.0	UNION TEXAS PETRO
-JAMES M FORGOTSON					RECEIVED: 03/28/83 JA: TX			
8329477	F-06-048475	4245900000	103		107-TF R A HINSON G U #2	ROSEWOOD (COTTON VALL	360.0	ROSEWOOD TRANSPOR
-JOHN H YOUNG INC					RECEIVED: 03/28/83 JA: TX			
8329545	F-03-062921	4214900000	102-2		VICKI KONETZKE #1	GIDDINGS (EDWARDS GAS	0.0	CLAJON GAS CO
-JOHN L COX					RECEIVED: 03/28/83 JA: TX			
8329499	F-7C-057376	4246131916	103		POWELL "32" #1	SPRABERRY (TREND AREA	10.0	MOBIL PRODUCING T
8329482	F-08-050986	423132508	103		ROBERT BROWN #1	SPRABERRY (TREND AREA	10.0	PHILLIPS PETROLEU
-L E JONES PRODUCTION COMPANY					RECEIVED: 03/28/83 JA: TX			
8329660	F-09-065200	4209732124	102-4		JOHN N MAY #1	HORSESHOE BEND (ELLEN	30.0	UNION TEXAS PETRO
-LADD & LUKOWICZ INC					RECEIVED: 03/28/83 JA: TX			
8329572	F-04-063826	4240900000	103		JOHN MCCAMPBELL #2	ENOS COOPER (J-2)	0.0	
-LADD PETROLEUM CORPORATION					RECEIVED: 03/28/83 JA: TX			
8329669	F-7C-065217	4210500000	103		107-TF HENDERSON #3-4	OZONA (CANYON SAND)	383.0	VALERO TRANSMISSI
8329668	F-7C-065216	4210534037	103		107-TF HILLSPAUGH 2-4	OZONA (CANYON SAND)	356.0	VALERO TRANSMISSI
-LANDMARK EXPLORATION INC					RECEIVED: 03/28/83 JA: TX			
8329532	F-03-061964	4205100000	102-3		GEORGE MUZYNY #1	CALDWELL (AUSTIN CHAL	0.0	CLAJON GAS CO
-LOCKER PETROLEUM INC					RECEIVED: 03/28/83 JA: TX			
8329494	F-7B-055818	4208333024	102-4		O C BERTRAND #1 (19060)	GLEN COVE 9 (PALO PIN	59.0	UNION TEXAS PETRO
-MAGNUM RESOURCES INC					RECEIVED: 03/28/83 JA: TX			
8329514	F-09-060549	4250334708	103		MESBITT "E" #1 21569	SCHULZ & BRANNON (STR	10.0	SUN GAS TRANSMISS
-MALOUF ABRAHAM CO INC					RECEIVED: 03/28/83 JA: TX			
8329621	F-10-064841	4221131536	103		CROSTIER #1	FELDMAN (TONKAWA)	0.0	PHILLIPS PETROLEU
-MAY PETROLEUM INC					RECEIVED: 03/28/83 JA: TX			
8329628	F-10-065083	4235731299	103		HAWK "A" #1 (102941)	SPOONY (MORROW UPPER)	365.0	PHILLIPS PETROLEU
-MAYFIELD OIL & GAS CO					RECEIVED: 03/28/83 JA: TX			
8329661	F-10-065202	4237530876	103		BIVINS #5	PANHANDLE POTTER COUN	36.0	COLORADO INTERSTA
-MCKENZIE OPERATING CO INC					RECEIVED: 03/28/83 JA: TX			
8329487	F-7B-054095	4236300000	102-4		COEN MULLEN #1	MINERAL WELLS NORTH (	101.0	SOUTHWESTERN GAS
-MITCHELL ENERGY CORPORATION					RECEIVED: 03/28/83 JA: TX			
8329485	F-7B-053769	4236300000	108		C M FARMER #1 894303	MINERAL WELLS (N BIG	7.4	SOUTHWESTERN GAS
8329496	F-09-056611	4249700000	108		C S MORRIS #1 811418	ALVORD (ATOKA CONGL)	2.0	NATURAL GAS PIPEL
8329547	F-7C-063133	4245100000	102-4	103	CLEMENTS #1	K W B (STRAWN SANDS)	0.0	ESPERANZA PIPELIN
8329516	F-09-060579	4249732431	103		DEAVER (CADDO CONGL) 6-8	ALVORD (CADDO CONGL)	135.0	NATURAL GAS PIPEL
8329530	F-7B-061554	4242900000	108		DUGGAN #1 8069613	LAKE DANIELS (STRAWN)	13.8	SOUTHWESTERN GAS
8329625	F-09-065002	4249700000	108		ED CARAWAY #3 8100441	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
8329569	F-09-063797	4223700000	108		FERRELL-RICHARDS #2 081508	JACKSBORO S E (5270)	0.0	SOUTHWESTERN GAS
8329498	F-09-057236	4249700000	108		FULLER DESHAZO #1 8089198	BOONSVILLE (BEND CONG	9.4	SOUTHWESTERN GAS
8329495	F-04-056491	4247932612	107-TF		GARNER RANCH #2 889116	SEGUNDO (OLMOS)	0.0	UNITED TEXAS TRAN
8329684	F-09-065267	4223736887	103		H H MCCONNELL "B" #1 #22882	SOUTHWESTERN (CADDO R	19.8	
8329600	F-09-064348	4249700000	108		J D KARNES #4 028708	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
8329570	F-7B-06379	4236700000	108		J G PEIPELMAN #2 082735	LAKE MINERAL WELLS (4	0.0	NATURAL GAS PIPEL
8329519	F-09-060672	4249700000	108		J M ROBINSON #3 817374	BOONSVILLE (CONSOLIDA	14.0	NATURAL GAS PIPEL
8329491	F-09-055159	4249700000	108		J M SMITH #1 821441	ALVORD (CADDO CONGL)	3.7	NATURAL GAS PIPEL
8329490	F-7B-055158	4236700000	108		J P REED #1 817488	RENO (STRAWN 2900)	7.5	SOUTHWESTERN GAS
8329504	F-7B-058554	4236700000	108		J T BAKER #1 8093520	SANDRA K (STRAWN)	0.0	SOUTHWESTERN GAS
8329642	F-09-065153	4249700000	108		KANSAS-SCOTT #1 8030715	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
8329587	F-09-064161	4249732465	103		LONNIE MOSES "B" #1	BOONSVILLE (BEND CONG	249.7	NATURAL GAS PIPEL
8329531	F-7B-061555	4222100000	108		M PEVELER #5 8084559	MCINTOSH (BIG SALINE)	13.7	SOUTHWESTERN GAS
8329624	F-09-064996	4249700000	108		MARIE GAGE #1 8031693	BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8329538	F-7C-062277	4243500000	103	107-TF	MCILLAN 108 #6	SAWYER (CANYON)	825.0	VALERO TRANSMISSI
8329539	F-7C-062278	4243500000	103	107-TF	MCILLAN 11 #5	SAWYER (CANYON)	825.0	VALERO TRANSMISSI
8329537	F-7C-062275	4243500000	103	107-TF	MCILLAN 11 #6	SAWYER (CANYON)	825.0	VALERO TRANSMISSI
8329536	F-7C-062274	4243500000	103	107-TF	MCILLAN 14 #6	SAWYER (CANYON)	82.5	VALERO TRANSMISSI
8329568	F-7B-063796	4236700000	108		MADE MOORE #1 077847	BUCK RANCH (STRANN)	0.0	SOUTHWESTERN GAS
MODERN DRILLING INC								
8329559	F-01-063348	4217730926	102-2		RECEIVED: 03/28/83 JA: TX	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329558	F-01-063347	4217731181	102-2		BARNETT #1 07230	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329557	F-01-063346	4217731311	102-2		BARNETT #2 07230	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329554	F-01-063343	4217731067	102-2		CANTLEY #1 07336	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329556	F-01-063345	4217730979	102-2		CANTLEY #2 07336	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329555	F-01-063344	4217731233	102-2		HORACE SAMPLE UNIT #2 08062	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329552	F-01-063341	4217731167	102-2		PAUL J MADDISON #1 06781	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329560	F-01-063342	4217730966	102-2		SAMPLE UNIT #1 07267	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329553	F-01-063342	4217730966	102-2		RECEIVED: 03/28/83 JA: TX	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
MODERN EXPLORATION INC								
8329563	F-01-063352	4217730561	102-2		KIFER #1 06227	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329562	F-01-063351	4217730609	102-2		KIFER "A" 06509	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
8329561	F-01-063350	4217730672	102-2		KIFER "B" 06527	COST (AUSTIN CHALK)	0.0	TIPPERARY GATHERI
MONTEREY PETROLEUM CORP								
8329528	F-04-061364	4247933219	102-2	107-TF	BLOCKER RANCH "H" 1841 #5	GOLD RIVER NORTH (OLM)	0.0	SEAGULL PIPELINE
MORROW RESOURCES INC								
8329586	F-7C-063574	4245131107	102-2	103	BROWN #8	K W B (STRANN)	0.0	LONE STAR GAS CO
MUELLER ENGINEERING CORP								
8329540	F-04-062328	4213100000	103		GORDON ADAMI #1	NEELY (BRUNI 1900)	0.0	VALERO TRANSMISSI
MUSTANG EXPLORATION CO INC								
8329601	F-03-064415	4214900000	102-2		CHERRY UNIT	GIDDINGS (AUSTIN CHAL	60.0	PHILLIPS PETROLEU
OILWELL OPERATORS INC								
8329639	F-10-065123	4217900000	103		D I ANDERSON #3 (03609)	PANHANDLE - GRAY	15.0	PHILLIPS PETROLEU
PARAGON RESOURCES INC								
8329549	F-03-063247	4248930628	102-4		RECEIVED: 03/28/83 JA: TX	CORBETT (8150 FRID)	274.0	
PETRO-LEWIS CORPORATION								
8329479	F-04-049812	4247900000	103	107-TF	O S PETTY #6-21	DOS HERMANOS W (OLMOS	20.1	VALERO TRANSMISSI
8329474	F-04-045798	4247933052	103	107-TF	O S PETTY LEASE #4-17	DOS HERMANOS WEST (OL	71.9	VALERO TRANSMISSI
PETROLEUM CORPORATION OF TEXAS								
8329659	F-7B-065195	4244131825	103		S D GAMBLE #2	BLAIR NORTH (ELLENBUR	0.4	PANHANDLE PRODUCTI
PETROTEX RESOURCES INC								
8329526	F-8A-060853	4226931057	102-4		GIBSON #1 (103026)	TOM ("B" CONGL)	1360.0	PALO DURO PIPELIN
PHILLIPS COMPANY								
8329476	F-09-048405	4249732317	103		GUTHRIE #2	BOONSVILLE BEND CONGL	180.0	NATURAL GAS PIPEL
8329486	F-08-054060	4213520698	108		KLOH D #1	GOLDSMITH EAST (GRAYB	24.0	EL PASO NATURAL G
PLATEAU EXPLORATION & PRODUCTION CO								
8329580	F-10-063985	4248331029	103		A FUHRMAN #1-19	P C X GRANITE WASH	310.3	
8329571	F-10-063813	4248331042	103		AGNES LOIT RANCH #1-16 158359	ALLISON BRITT (12350)	750.0	
PRODECO EXPLORATION INC								
8329541	F-03-062424	4214931345	102-2		L C R A #2	GIDDINGS (EDWARDS GAS	693.0	CLAJON GAS CO
PYROM EXPLORATION & DRILLING CORP								
8329488	F-09-054317	4250333240	102-4		ALEXANDER #1	GRAHAM NORTH (MARBLE	120.0	SOUTHWESTERN GAS
QUINTANA PETROLEUM CORP								
8329637	F-02-065112	4239131577	103		MRS FANNIE V W HEARD #100	TOM O'CONNOR (5900' S	40.0	UNITED TEXAS TRAN
RIDGE OIL CO								
8329588	F-7B-064247	4242933493	102-4	103	WOMACK #1	RANGER NW (MARBLE FAL	12.6	COMPRESSOR RENTAL
ROBERT P LAMMERTS								
8329513	F-03-060310	4214900000	102-2		HOUGHTON #1	GIDDINGS (AUSTIN CHAL	0.0	PHILLIPS PETROLEU
S K ROGERS OIL CO								
8329635	F-8A-065097	4221933551	103		DELOACHE "A" WELL #1	LEVELLAND	11.0	AMOCO PRODUCTION
8329636	F-8A-065106	4221933552	103		DELOACHE "A" WELL #2	LEVELLAND	12.0	AMOCO PRODUCTION
8329634	F-8A-065094	4221933553	103		DELOACHE "A" WELL #3	LEVELLAND	11.0	AMOCO PRODUCTION
8329670	F-8A-065220	4221900000	103		JAMES DELOACHE #1	LEVELLAND	0.0	AMOCO PRODUCTION
SAMEDAN OIL CORPORATION								
8329610	F-05-064750	4229330615	103	107-TF	BOBBY REED #1	OAKS (COTTON VALLEY S	73.0	TEXAS UTILITIES F
SANTA FE-MINDSOR PRODUCING CO								
8329533	F-03-062079	4228700000	103		MONROE #1	GIDDINGS (AUSTIN CHAL	109.0	PERRY PIPELINE CO
SAXON OIL COMPANY								
8329484	F-7C-052350	4238332113	102-2	103	BRANCH "A" #3	SPRABERRY TREND AREA	23.4	NORTHERN NATURAL
SCANDRILL INC								
8329584	F-09-064091	4223734599	103		BENNETT #1	JACK COUNTY REGULAR	32.9	TEXAS UTILITIES F
8329585	F-09-064108	4223734600	103		LEWIS FIELDS #1	JACK COUNTY REGULAR	32.9	TEXAS UTILITIES F
SESCO PRODUCTION CO								
8329470	F-06-034322	4218330461	102-4	107-TF	W G MITCHELL #1	SUNSHINE (LOWER COTTO	0.0	PARAMOUNT GAS GAT
SOUTHERN UNION EXPLORATION COMPANY								
8329613	F-7C-064771	4209530646	103		MALCORINE W STASNEY #3	FUZZY CREEK	55.0	J-W-OPERATING CO
STAHL PETROLEUM CO								
8329683	F-10-065264	4234100000	108		COFFEE #1	TEXAS HUGOTON	0.0	PHILLIPS PETROLEU
STALLWORTH OIL & GAS INC								
8329544	F-06-062783	4242330558	102-4	103	D D SHOFNER #1 (10653)	CHAPEL HILL (TRAVIS P	35.0	UNITED GAS PIPELI
8329543	F-06-062787	4242330608	102-4	103	HOLLEY OIL UNIT #1 - 10807	CHAPEL HILL (TRAVIS P	35.0	UNITED GAS PIPELI
8329542	F-06-062786	4242330559	102-4	103	JACKSON #1 - 10786	CHAPEL HILL (TRAVIS P	35.0	UNITED GAS PIPELI
SUBURBAN PROPANE GAS CORP								
8329521	F-7C-060685	4210534127	103		MCULLAN "F-1" #1	NORTH LIVE OAK DRAW N	0.0	INTRATEX GAS CO
8329522	F-7C-060688	4210533747	103		MCULLAN "2" #1	LIVE OAK DRAW N (STRA	0.0	INTRATEX GAS CO
8329523	F-7C-060692	4210533908	103		MCULLAN "2" #2	LIVE OAK DRAW N (STRA	0.0	INTRATEX GAS CO
TAYLOR GORDON								
8329671	F-10-065221	4234130708	103		RICKY #1	PANHANDLE MOORE COUNT	18.0	DIAMOND SHAMROCK
TEMPLETON ENERGY INC								
8329483	F-06-052089	4200530127	103		YORBA #1	RAINTREE (HOSSTON)	115.0	UNITED GAS PIPE L
TENNECO OIL COMPANY								
8329503	F-04-058439	4221531236	103	107-TF	A A MCALLEN #12	MCALLEN RANCH	850.0	CHANNEL INDUSTRIE
8329492	F-08-059387	4230130334	107-TF		BRUNSON 15-1	BRUNSON RANCH	0.0	TENNESSEE GAS PIP
8329500	F-06-058103	4236531439	103	107-TF	ROQUEMORE "D" #2	BETHANY EAST	160.0	UNITED GAS PIPE L
TEXAS PRODUCTION CORP								
8329471	F-06-038938	4240131142	103		CLINTON "A" #1	SHILOH (TRAVIS PEAK)	0.0	
THOMPSON J CLEO & JAMES CLEO JR								
8329546	F-7C-062993	4210500000	103	107-TF	UNIVERSITY 32-14 #1	OZONA (CANYON SAND)	0.0	PRODUCER'S GAS CO
TOM L INGRAM								
8329604	F-08-064575	4200333160	103		NORA #2	FUHRMAN-MASCHO	12.6	PHILLIPS PETROLEU
8329679	F-08-065239	4200333281	103		SUN #1	FUHRMAN-MASCHO	36.5	PHILLIPS PETROLEU
TRIAX OIL & GAS INC								
8329505	F-7B-058558	4208333082	102-4		HUNTER-FEE #2	CAMP COLORADO S (GUNS	73.0	SOUTHWESTERN GAS
TRIPLE J INVESTMENTS INC								
8329609	F-06-064749	4220300000	102-4		MATTIE MERCER #1	BETHANY (MERCER) TRAV	200.0	UNITED GAS PIPE L
TROJAN OIL PRODUCTION & SERVICES INC								
8329567	F-7C-063773	4239932360	103		NORTHINGTON "A" #1	BIG ED N (GARDNER LIM	1.0	LONE STAR GAS CO
TXO PRODUCTION CORP								
					RECEIVED: 03/28/83 JA: TX			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8329478	F-05-049623	4216130712	102-4		SHAW "D" #1	BEAR GRASS NE (TRAVIS	0.0	
8329527	F-05-061098	4216120751	103	107-TF	UTLEY "C" #1-X	MIMMS CREEK (BOSSIER)	0.0	UNITED TEXAS TRAN
-U S OPERATING INC					RECEIVED: 03/28/83			
8329582	F-03-064050	4228731299	102-2		MATILDA #1 RRC ID# N/A	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
-UNION EXPLORATION					RECEIVED: 03/28/83			
8329626	F-7B-065070	4244331446	103		DAVIS #1 (19270)	CORSICA (BEND CONGLOM	4.0	CITIES SERVICE CO
-UNION TEXAS PETROLEUM					RECEIVED: 03/28/83			
8329586	F-7C-065140	4223531976	102-2		SUGG '20' #2	ANDREW A (CANYON)	208.0	FARMLAND INDUSTRI
8329654	F-7C-065185	4223531976	102-2		SUGG '20' #2	ANDREW A (CANYON)	23.0	FARMLAND INDUSTRI
-UTX EXPLORATION INC					RECEIVED: 03/28/83			
8329507	F-02-058969	4202500000	102-4	103	KATHLEEN D ROCHE B 3-C	HEARD RANCH (3860) -	53.0	TRUNKLINE GAS CO
8329506	F-02-058968	4202500000	102-4	103	KATHLEEN D ROCHE B 3-T	HEARD RANCH (3890)-PR	547.0	TRUNKLINE GAS CO
-WAGNER & BROWN					RECEIVED: 03/28/83			
8329667	F-08-065212	4243131269	103		RAY "A" #7-31	CONGER (PENH)	221.4	TEXAS UTILITIES F
-WARREN PETR CO A DIV					OF GULF OIL			
8329675	F-08-065233	4210331423	108		C-BAR SAN ANDRES UNIT #J-3	C-BAR (SAN ANDRES)	6.6	EL PASO NATURAL G
8329676	F-08-065234	42103310851	108		MATTIE CONNELL #F-12	C-BAR (TUBB)	1.9	EL PASO NATURAL G
8329674	F-08-065232	4210331783	108		J B TUBB "B" #51	SAND HILLS (TUBB)	2.5	EL PASO NATURAL G
8329666	F-08-065210	4210333045	103		M B MCKNIGHT #131	SAND HILLS (MCKNIGHT)	12.1	EL PASO NATURAL G
8329665	F-08-065209	4210333040	103		M B MCKNIGHT #135	SAND HILLS (MCKNIGHT)	79.0	EL PASO NATURAL G
8329677	F-08-065236	4210330061	108		M B MCKNIGHT #26	SAND HILLS (MCKNIGHT)	4.7	EL PASO NATURAL G
8329663	F-08-065207	4210333049	103		M F MCKNIGHT #171	WADDELL	12.4	EL PASO NATURAL G
8329678	F-08-065236	42103306161	108		MB MCKNIGHT #1	SAND HILLS (MCKNIGHT)	3.4	EL PASO NATURAL G
8329662	F-08-065205	4210333008	103		P J LEA #144	LEA SOUTH (TUBB)	18.6	EL PASO NATURAL G
8329664	F-08-065208	4210333048	103		P J LEA #146	LEA SOUTH (TUBB)	38.5	EL PASO NATURAL G
8329673	F-08-065231	4210310192	108		STATE "ED" #5	DUNE	0.3	EL PASO NATURAL G
8329672	F-08-065230	4210330786	108		STATE "ED" #6	DUNE	0.6	EL PASO NATURAL G
-WARRIOR MANAGEMENT CO					RECEIVED: 03/28/83			
8329520	F-04-060679	4235531824	102-4	103	WEIL #1	CORPUS CHRISTI (MAYO)	240.0	HOUSTON PIPE LINE
-WATCO ENERGY INC					RECEIVED: 03/28/83			
8329501	F-7C-058249	4239932189	102-4	103	RODNEY FLANAGAN #1	BYERS (GARDNER) Q V C	48.5	ODESSA NATURAL CO
-WILSON ENERGY INC					RECEIVED: 03/28/83			
8329596	F-7C-064321	4210533049	108		MAGGIE NEAL #5	FARMER (SAN ANDRES)	0.1	J L DAVIS
8329595	F-7C-064320	4210533339	108		MAGGIE NEAL #6	WEGER NORTH	0.1	J L DAVIS
8329594	F-7C-064319	4210533662	108		MAGGIE NEAL #7	WEGER NORTH	0.1	J L DAVIS
8329578	F-7C-063929	4210532248	108		UNIVERSITY GULF STATE #2	FARMER (SAN ANDRES)	0.4	J L DAVIS
8329577	F-7C-063928	4210532425	108		UNIVERSITY GULF STATE #5	FARMER (SAN ANDRES)	0.4	J L DAVIS
8329599	F-7C-064334	4210532693	108		UNIVERSITY GULF STATE 2D "A" #1	FARMER (SAN ANDRES)	2.2	J L DAVIS
8329598	F-7C-064333	4210532694	108		UNIVERSITY GULF STATE 2D "A" #2	FARMER (SAN ANDRES)	2.2	J L DAVIS
8329597	F-7C-064332	4210533170	108		UNIVERSITY GULF STATE 2D "A" #3	FARMER (SAN ANDRES)	2.2	J L DAVIS
8329589	F-7C-064283	4210500000	108		UNIVERSITY 11 #1	FARMER (SAN ANDRES)	2.6	J L DAVIS
8329590	F-7C-064284	4210500000	108		UNIVERSITY 11 #2	FARMER (SAN ANDRES)	2.6	J L DAVIS
8329593	F-7C-064289	4210532520	108		UNIVERSITY 2 #1	FARMER (SAN ANDRES)	2.8	J L DAVIS
8329592	F-7C-064288	4210532518	108		UNIVERSITY 2 #2	FARMER (SAN ANDRES)	2.8	J L DAVIS
8329591	F-7C-064285	4210532689	108		UNIVERSITY 2 #5	FARMER (SAN ANDRES)	2.8	J L DAVIS
8329583	F-7C-064083	4210532609	108		UNIVERSITY 8 "A" #2	FARMER (SAN ANDRES)	14.6	J L DAVIS

[FR Doc. 83-10784 Filed 4-21-83; 8:45 am]

BILLING CODE 6717-01-C



**Final Report**

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**Friday  
April 22, 1983**

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**Part VIII**

**Department of the  
Interior**

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**Office of Surface Mining Reclamation and  
Enforcement**

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**Permanent State Regulatory Program of  
Virginia; Disapproval of Certain  
Provisions of a State Program  
Amendment and Proposal to Supersede  
State Laws and Regulations; Removal of  
Condition of State Program Approval**



**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 946****Permanent State Regulatory Program of Virginia; Disapproval of Certain Provisions of a State Program Amendment**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Final rule.

**SUMMARY:** This document disapproves certain provisions of a proposed State program amendment relating to reclamation standards for operations of two surface acres or less submitted by Virginia under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The provisions of the proposed amendment being disapproved have been found to be inconsistent with SMCRA and the Federal regulations. Part 946 of title 30 of the CFR is being amended to reflect this action.

**EFFECTIVE DATE:** April 22, 1983.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph Cox, Big Stone Gap Field Office, Office of Surface Mining, P.O. Box 626, Big Stone Gap, Virginia 24219, Telephone: (703) 523-4303.

**SUPPLEMENTARY INFORMATION:** On March 3, 1980, the Secretary of the Interior received a proposed regulatory program from the Commonwealth of Virginia. On October 22, 1980, following a review of the proposed program as outlined in 30 CFR Part 732, the Secretary approved in part and disapproved in part the proposed program (45 FR 69977-70000). Virginia resubmitted its proposed regulatory program on August 13, 1981, and after a subsequent review, the Secretary approved the program subject to the correction of minor deficiencies. The approval was effective upon publication of the notice of conditional approval in the December 15, 1981 *Federal Register* (46 FR 61088-61115).

Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Virginia program can be found in the December 15, 1981 *Federal Register* (46 FR 61088-61115).

For the reader's information concerning the following, Chapter 19 of the Code of Virginia refers to the Virginia permanent regulatory program

approved by the Secretary on December 15, 1981. Chapter 23 of the Code of Virginia refers to the provisions reinstating reclamation controls on surface mining operations of less than two acres.

One of the minor conditions of the approval imposed by the Secretary was as follows:

Condition "r" requires Virginia to submit a copy of a revised policy statement or otherwise amend its program to make its coal haul roads policy consistent with the Federal requirements.

Pursuant to the Secretary's decision, the condition was due to be satisfied by February 15, 1982. On January 28, 1982, the State requested an extension of the condition deadline until April 1, 1982, primarily because a bill, which would reinstate reclamation controls on surface mining operations of less than two acres, was pending before the Virginia General Assembly (Administrative Record No. VA 376). On February 3, 1982, OSM published a proposed rule to extend the condition deadline until April 1, 1982 (47 FR 5013). On February 24, 1982, the Assistant Secretary of the Interior for Energy and Minerals, published a final rule extending the condition date to April 1, 1982 (47 FR 8008). Following receipt of a copy of the bill (Virginia House bill 123), the Director, OSM, on February 19, 1982, provided the State with comments and recommendations concerning specific provisions of the draft legislation (Administrative Record No. VA 380).

On March 31, 1982, Virginia submitted a letter describing the actions which had been undertaken and would be taken by the Commonwealth to resolve condition "r" (Administrative Record No. VA 383). First, Virginia stated that the General Assembly had enacted a bill that would repeal a section of the Code of Virginia allowing deeding of haul roads to counties. Second, Virginia pointed to draft regulations for coal haul road performance standards it proposed to adopt as State regulations. Finally, Virginia stated that the Virginia General Assembly had enacted H.B. 123 which, upon signature by the Governor, would become effective July 1, 1982. On April 26, 1982, OSM published a notice of receipt of the proposed amendments, a public comment period and opportunity for public hearing (47 FR 17827).

On July 9, 1982, the State submitted the enacted provisions cited in its March 31, 1982, letter (Administrative Record No. VA 400). On July 23, 1982, OSM reopened the public comment period for these amendments (47 FR 31897). On August 19, 1982, at 47 FR 36127, the Director, OSM, published a notice

approving the State program amendments concerning the State's regulations for coal haul road performance standards and the legislative change to end the deeding of haul roads to counties. However, the Director postponed action on two proposed program modifications consisting of enacted legislation (Chapter 23, Title 45.1 of the Virginia Code, formerly H.B. 123) and proposed draft regulations to implement chapter 23 until Federal regulations relating to the two-acre exemption were effective. Therefore, the Director stated no decision was being made on either of the above proposed amendments or on the overall adequacy of all the modifications submitted by Virginia on March 31, 1982, to satisfy condition "r".

On September 29, 1982, following a preliminary review of Virginia's Chapter 23, OSM sent a letter to Virginia providing its tentative review of Chapter 23 (Administrative Record No. VA 430). The Director provided this letter because he believed the revised Federal two-acre exemption rule published August 2, 1982 (47 FR 33424), in conjunction with other provisions, provided a sufficient standard by which to review Chapter 23. Also, if legislative changes were necessary to Chapter 23, the Director wanted to provide Virginia with timely comment so that the Virginia Legislature in its early 1983 session could address possible changes to Chapter 23. On October 14, 1982, OSM published a notice reopening the public comment period to allow the public an opportunity to comment on the Director's letter of September 29, 1982 (47 FR 45886). On November 1, 1982, Virginia responded to the points raised in the Director's letter of September 29, 1982 (Administrative Record No. VA 435).

**Director's Findings****1. Chapter 23**

The Director finds, in accordance with SMCRA and 30 CFR 732.17 and 732.15, that the program amendment consisting of Chapter 23 of the Code of Virginia and its implementing regulations is not inconsistent with SMCRA and the Federal regulations except for the provisions specified below.

The following provisions of Virginia's Chapter 23 and the regulations thereunder are disapproved for the reasons listed below.

**Section 45.1-364.A.1.**

This section prescribes when operations are deemed under common ownership or control and treated as a

single operation, for the purpose of determining the affected area of a coal surface mining operation.

The complete text of Section 45.1-364.A.1 is as follows:

Section 45.1-364. Applicability.—A. Coal mining operations which affect two surface acres or less shall be regulated under the provisions of this chapter. In determining the affected area for the purpose of this chapter and Chapter 19 (§ 45.1-226 et seq.) of this title, the following criteria shall apply:

1. Two or more contiguous coal mining operations, the total combined surface area of which exceeds two acres and which are owned or controlled by the same operator, shall be deemed a single operation affecting more than two surface acres and subject to the applicable provisions of Chapter 19 of this title. The fact that a haul road connects two or more operations shall not make them contiguous.

The complete text of Section 3.01(a)(1) of the Virginia Coal Surface Mining Reclamation Regulations for Operations Disturbing Two Surface Acres or Less is as follows:

3.01 Permit Acreage Computation. (a) The criteria listed below shall be used to determine the coal surface mining activities qualifying for the "two acre" exemption and those subject to Chapter 19, Title 45.1 of the Code of Virginia.

(1) Two or more contiguous operations, the total area of which exceeds two acres and which are owned or controlled by the same operator, shall be deemed a single operation subject to applicable provisions of Chapter 19, Title 45.1 of the Code of Virginia.

The Director finds this section to be inconsistent with the Federal regulations because of Virginia's phrase "owned or controlled by the same operator." The revised Federal regulations at 30 CFR 700.11(b)(2)(ii) provide one of the three tests for physical relatedness. Section 700.11(b)(2)(ii) states that operations are deemed under common ownership or control if they are owned or controlled, directly or indirectly, by or on behalf of (1) the same person; (2) two or more persons, one of whom controls, is under control with, or is controlled by the other; or (3) members of the same family and their relatives, unless it is established that there is no direct or indirect business relationship between or among them. The revised regulations go on to define what "control" means. The Director has determined that Virginia's phrase "owned or controlled by the same operator," is not consistent with the categories of persons contained in the Federal provisions cited above.

#### Section 45.1-364.A.3

This section prescribes when a road should be included in the affected area of an operation.

The complete text of Section 45.1-364.A.3 of Chapter 23 is as follows:

3. Roads permitted to another operator will not be included in acreage calculation.

The complete text of Section 3.01(a)(5) of the Virginia two surface acres or less regulations is as follows:

(5) Haul roads not exempted by Section 2.02(p) of these regulations shall be included in the acreage calculations, provided they are not permitted to another operator.

Section 45.1-364.A.3 of Chapter 23 states that roads permitted to another operator will not be included in acreage calculation. The revised Federal regulations at 30 CFR 700.11(b)(1) provide that, where a segment of a road is used for access or coal haulage by more than one surface coal mining operation, the entire segment shall be included in the affected area of each of those operations, provided that two or more operations which are deemed related shall be considered as one operation.

In issuing its revised Federal rule, OSM rejected the idea of allocating the road to the first operator with the right to permit the road because it could lead to abuse of the exemption. Such a concept would allow one operator to include the road in its affected area; then a whole series of different operations along the road which in fact "affect" the road would be able to exclude the road for purposes of calculating the two-acre exemption. Therefore, the Director finds that the criterion set forth by Virginia is inconsistent with the Federal provision.

It should be noted that the alternative selected by OSM will not require double bonding or double permitting of any segment of a road. The attribution to more than one operation of a segment of a road is done solely for purposes of determining the size of the affected area. Only one operation at a time is required to actually permit or bond any segment of such a road.

#### Section 45.1-364.A.4

This section prescribes when surface areas above underground mine workings will be included in the affected area.

The complete text of Section 45.1-364.A.4 of Chapter 23 is as follows:

4. Surface areas above underground coal mine workings shall not be included in the affected area, provided that such surface area is not likely to be substantially adversely impacted by subsidence or disturbed by other mining related activities.

The complete text of Section 3.01(a)(4) of the Virginia two surface acres or less regulations is as follows:

(4) Surface area above underground coal mine workings shall not be used in calculating acreage under this Section, provided that the surface area is not likely to be substantially adversely impacted by subsidence or disturbed by other mining related activities.

This section of Chapter 23 states that the surface area above underground workings shall not be used to calculate the affected area unless the surface area is likely to be "substantially adversely" impacted by subsidence or disturbed by other mining related activities. The use of the term "substantially adversely" implies that some surface impact could occur and that the impacted area nevertheless would not be included in the affected area. The Director finds that this section of Chapter 23 is inconsistent with 30 CFR 701.5 and that it conflicts with the definition of "affected area" contained in the Virginia permanent program regulations pursuant to Chapter 19, which has been approved by the Secretary of the Interior. The Virginia definition of "affected area" at V701.5 of Virginia's regulations states: "With respect to underground mining operations, 'affected area' means: (i) Any water or surface land upon or in which those activities are conducted or located; and (ii) land or water area, which is located above underground mine workings."

The Director finds that Chapters 19 and 23 must be consistent since a single determination of eligibility for the two acre exemption must be made. In this section, Virginia's approach seems to be that the eligibility determination is made under Chapter 23. Although the Director realizes that Chapter 23 is a regulatory program which is in addition to Chapter 19, he believes that the Chapter 19 provisions must first be applied before any operation could qualify for an exemption from Chapter 19.

Therefore, the Director disapproves the above specified provisions of Chapter 23 and its implementing regulations. In addition, any other provision(s) of the Virginia two acres or less regulations which may be interpreted to be related to or to stem directly from the above disapproved provisions are also disapproved.

#### 2. Federal Preemption

It is generally not necessary to use section 505 of SMCRA or 30 CFR 730.11(a) with regard to proposed amendments to approved State regulatory programs because "No such change to laws or regulations shall take effect for purposes of a State program until approved as an amendment." 30 CFR 732.17(g). Without Secretarial

approval, therefore, the Virginia statutory and regulatory changes have not become effective, and section 505 thus would not apply.

In this instance, however, the Commonwealth of Virginia has actually implemented unapproved statutory and regulatory changes and has raised section 505 in court pleadings. The Commonwealth appears to contend that its changes have become effective and that section 505 is applicable. The Commonwealth has placed certain operators in an untenable position because the provisions disapproved in this notice are ineffective as a matter of Federal law and, according to the Commonwealth, effective as a matter of State law. This situation also is unusual in that Virginia's Chapter 23 contains provisions which conflict with Federal law as well as provisions which go beyond and do not conflict with Federal law.

Therefore, to avoid any doubt whatsoever concerning OSM's intentions in this unusual and significant matter, and because OSM has determined that the following State laws and regulations are inconsistent with SMCRA and its implementing regulations, OSM will give notice, under section 505 of SMCRA and 30 CFR 730.11(a), that Sections 45.1-364.A.1, 45.1-364.A.3 and 45.1-364.A.4 of Chapter 23 of the Code of Virginia and Sections 3.01(a)(1), 3.01(a)(5), and 3.01(a)(4) of the Virginia Coal Surface Mining Reclamation Regulations for Operations Disturbing Two Surface Acres or Less are inconsistent with SMCRA and its implementing regulations. A separate notice to that effect is being published in the *Federal Register*; it will provide a 30-day period for public comment.

### 3. Condition "r"

Inasmuch as the Director disapproves the above-cited provisions of Chapter 23 and its implementing regulations and inasmuch as two previous State program amendments consisting of Virginia regulations for coal haul road performance standards and of a statutory change to end the deeding of haul roads to counties have been approved (August 19, 1982 at 47 FR 36127), the Director, via a separate *Federal Register* notice, will invite public comment on a proposed rule to remove condition "r" on the approval of the Virginia State Program.

### Public Comment

Some comments, primarily in response to the Director's September 29, 1982 letter (Administrative Record No. VA 430), were received. However, all these comments were directed to the revised

Federal two-acre rule of August 2, 1982 (47 FR 33424). Therefore, these comments and the corresponding responses in the August 2, 1982 *Federal Register* are not being repeated. Comments from Federal agencies were limited and did not identify any specific deficiencies of the proposed program amendment.

Pursuant to section 503(b) of SMCRA and 30 CFR 732.17(h)(10)(i) of those Federal agencies invited to comment, comments were received from the following: Army Corps of Engineers, Fish and Wildlife Service, Bureau of Land Management, Minerals Management Service, National Park Service, Soil Conservation Service and the Mine Safety and Health Administration.

### Disapproval of Certain Provisions of Program Amendment

Accordingly, Sections 45.1-364.A.1, 45.1-364.A.3 and 45.1-364.A.4 of Chapter 23 of the Code of Virginia; and Sections 3.01(a)(1), 3.01(a)(5) and 3.01(a)(4) of the Virginia Coal Surface Mining Reclamation Regulations for Operations Disturbing Two Surface Acres or Less are hereby disapproved pursuant to the above Director's Findings.

### Effect of Director's Decision

Section 503 of SMCRA establishes that a State may not exercise jurisdiction under the Act unless the State program is approved by the Secretary. Similarly, the Secretary's regulations at 30 CFR 732.17(a) require that any alteration of an approved State program must be submitted to OSM as a program amendment. Thus, any changes to the program are not enforceable by the State until approved by the Secretary. The Federal regulations at 30 CFR 732.17(g) clearly prohibit any unilateral changes to approved State programs. In his oversight of the State program, the Secretary will recognize only the statutes and regulations approved by him, and will require the enforcement by the State of only such provisions. Therefore, the provisions that the Secretary is approving today will take effect today for purposes of the State program. Those provisions the Secretary has not approved today may not be implemented by the State in any manner until such time as the Secretary approves them.

### Additional Determinations

1. *Compliance with the National Environmental Policy Act:* The Secretary has determined that, pursuant to Section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact

statement need be prepared on this rulemaking.

2. *Executive Order No. 12291 and the Regulatory Flexibility Act:* On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. *Paperwork Reduction Act.* This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

### List of Subjects in 30 CFR Part 946

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Accordingly, Part 946 of Title 30 is amended as set forth herein.

Dated: April 20, 1983.

Carson W. Culp, Jr.,  
Acting Director, Office of Surface Mining  
Reclamation and Enforcement.

### PART 946—[AMENDED]

Part 946 of Title 30 is amended by revising § 946.10 to read as follows:

#### § 946.10 State regulatory program approval.

The Virginia State Program, as submitted on March 3, 1980, as amended and clarified on June 16, 1980, as resubmitted on August 13, 1981, and clarified in a meeting with OSM on September 21 and 22, 1981, and in a letter to the Director of the Office of Surface Mining on October 15, 1981, was conditionally approved, effective December 15, 1981. Beginning on that date, the Department of Conservation and Economic Development, Division of Mined Land Reclamation, was deemed the regulatory authority in Virginia for all surface coal mining and reclamation operations and all exploration operations on non-Federal and non-Indian lands. Beginning on July 21, August 19, September 21, and December 13, 1982, January 18, February 28, and

April 21, 1983, the program also included program amendments submitted on January 28, July 8, July 9, August 13, September 30, and December 20, 1982, and March 22, 1983, respectively. Further, beginning on April 22, 1983 the program includes a program amendment consisting of Chapter 23, of the Code of Virginia and its implementing regulations except for § 45.1.364.A.1, 45.1.364.A.3 and 45.1.364.A.4 of Chapter 23; and 3.01(a)(1), 3.01(a)(5) and

3.01(a)(4) of the Virginia Coal Surface Mining Reclamation Regulations for Operations Disturbing Two Surface Acres or Less, submitted on July 9, 1982. Copies of the conditionally approved program, as amended, are available for review at:

Virginia Division of Mined Land  
Reclamation, Drawer U, 622 Powell  
Avenue, Big Stone Gap, Virginia 24219  
Virginia Department of Conservation  
and Economic Development, 1100

State Office Building, Richmond,  
Virginia 23219

Office of Surface Mining Reclamation  
and Enforcement, Flannagan and  
Carroll Streets, Lebanon, Virginia  
24266

Office of Surface Mining Reclamation  
and Enforcement, Room 5315, 1100 L  
Street NW., Washington, D.C. 20240

[FR Doc. 83-10950 Filed 4-21-83; 9:33 am]

BILLING CODE 4310-05-M

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 946****Permanent State Regulatory Program of Virginia; Proposal To Supersede State Laws and Regulations; Removal of Condition of State Program Approval**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This document announces and seeks public comment on proposed actions by OSM (1) to preempt and to supersede specific provisions of Virginia's laws and regulations concerning the two-acre exemption from regulation of surface coal mining operations under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) and (2) to remove one of the conditions of approval of the Virginia permanent regulatory program under SMCRA. This action is being taken because the Director has initially determined that these provisions are inconsistent with SMCRA, the Federal regulations at 30 CFR 700.11 and the permanent regulatory program administered by Virginia under Chapter 19 of the Code of Virginia. The Director's determination is based on the reasons cited under the section titled "Director's Findings" found in a separate notice of final rulemaking pertaining to the Virginia permanent regulatory program that is appearing in today's *Federal Register*.

**DATE:** Written comments, data or other relevant information relating to these actions concerning the Virginia program not received on or before 4:00 p.m. on May 23, 1983 will not necessarily be considered.

**ADDRESSES:** Written comments should be mailed or hand delivered to: Ralph Cox, Director, Big Stone Gap Field Office, Office of Surface Mining Reclamation and Enforcement, Highway 23, South, P.O. Box 626, Big Stone Gap, Virginia 24219, Telephone: (703) 523-4303.

Copies of the Virginia program, the proposed modifications to the program, a listing of any scheduled public meetings and all written comments received in response to this notice will be available for review at the OSM offices and the office of the State regulatory authority listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays:

Office of Surface Mining Reclamation and Enforcement, Room 5315, 1100 L Street NW., Washington, D.C. 20240  
Office of Surface Mining Reclamation and Enforcement, Highway 23, South, Big Stone Gap, Virginia 24219  
Office of Surface Mining Reclamation and Enforcement, Flannagan and Carroll Streets, Lebanon, Virginia 24266  
Virginia Division of Mined Land Reclamation, 620 Powell Avenue, Big Stone Gap, Virginia 24219

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph Cox, Big Stone Gap Field Office, Office of Surface Mining, P.O. Box 626, Big Stone Gap, Virginia 24219, Telephone: (703) 523-4303.

**SUPPLEMENTARY INFORMATION:** For detailed background on the actions proposed in this document, see the notice of final rulemaking pertaining to the Virginia permanent regulatory program that is also appearing in today's *Federal Register*.

**Director's Findings and Proposed Actions****1. Federal Preemption**

Pursuant to Section 505(b) of SMCRA and 30 CFR 730.11(a), the Director proposes to preempt and supersede the following provisions of Chapter 23 of the Code of Virginia and implementing regulations thereunder. This action is being taken because the Director has initially determined that these provisions are inconsistent with SMCRA, the Federal regulations at 30 CFR 700.11 and the permanent regulatory program administered by Virginia under Chapter 19 of the Code of Virginia. The Director's determination is based on the reasons cited under the section titled "Director's Findings" found in a separate notice of final rulemaking pertaining to the Virginia permanent regulatory program that is appearing in today's *Federal Register*.

The following provisions of Chapter 23 of the Code of Virginia and the implementing regulations thereunder are proposed for Federal preemption:

**Section 45.1-364.A.1 and Related Regulation**

This section prescribes when operations are deemed under common ownership or control and treated as a single operation, for the purpose of determining the affected area of a coal surface mining operation.

The complete text of Section 45.1-364.A.1 is as follows:

Section 45.1-364. Applicability.—A. Coal mining operations which affect two surface acres or less shall be regulated under the provisions of this chapter. In determining the

affected area for the purpose of this chapter and Chapter 19 (§ 45.1-226 et seq.) of this title, the following criteria shall apply:

1. Two or more contiguous coal mining operations, the total combined surface area of which exceeds two acres and which are owned or controlled by the same operator, shall be deemed a single operation affecting more than two surface acres and subject to the applicable provisions of Chapter 19 of this title. The fact that a haul road connects two or more operations shall not make them contiguous.

The complete text of Section 3.01(a)(1) of the Virginia Coal Surface Mining Reclamation Regulations for Operations Disturbing Two Surface Acres or Less is as follows:

3.01 Permit Acreage Computation. (a) The criteria listed below shall be used to determine the coal surface mining activities qualifying for the "two acre" exemption and those subject to Chapter 19, Title 45.1 of the Code of Virginia.

(1) Two or more contiguous operations, the total area of which exceeds two acres and which are owned or controlled by the same operator, shall be deemed a single operation subject to applicable provisions of Chapter 19, Title 45.1 of the Code of Virginia.

**Section 45.1-364.A.3 and Related Regulation**

This section prescribes when a road should be included in the affected area of an operation.

The complete text of Section 45.1-364.A.3 of Chapter 23 is as follows:

3. Roads permitted to another operator will not be included in acreage calculation.

The complete text of Section 3.01(a)(5) of the Virginia two surface acres or less regulations is as follows:

(5) Haul roads not exempted by Section 2.02(p) of these regulations shall be included in the acreage calculations, provided they are not permitted to another operator.

**Section 45.1-364.A.4 and Related Regulation**

This section prescribes when surface areas above underground mine workings will be included in the affected area.

The complete text of Section 45.1-364.A.4 of Chapter 23 is as follows:

4. Surface areas above underground coal mine workings shall not be included in the affected area, provided that such surface area is not likely to be substantially adversely impacted by subsidence or disturbed by other mining related activities.

The complete text of Section 3.01(a)(4) of the Virginia two surface acres or less regulations is as follows.

(4) Surface area above underground coal mine workings shall not be used in calculating acreage under this Section, provided that the surface area is not likely to be substantially adversely impacted by

subsidence or disturbed by other mining related activities.

## 2. Removal of Condition "r"

Inasmuch as the Director has disapproved the above-cited provisions of Chapter 23 of the Code of Virginia and implementing regulations in the separate notice of final rulemaking published today and inasmuch as two previous State program amendments consisting of Virginia regulations for coal haul road performance standards and of a statutory change to end the deeding of haul roads to counties have been approved (August 19, 1982 at 47 FR 36127), the Director proposes to remove condition "r" of the approval of the Virginia permanent program.

The Director has initially determined that those provisions of Chapter 23 and its implementing regulations not determined to be inconsistent with SMCRA and the Federal regulations, taken together with the two amendments previously approved, satisfy the haul roads policy required by the Secretary in his December 15, 1981, approval of the Virginia program.

Following the public comment period and (1) upon completion of the actions

proposed in this document pursuant to section 505(b) of SMCRA and 30 CFR 730.11(a), or (2) upon the State's written agreement to enforce its program in conformity with the Director's actions in today's separate notice of final rulemaking disapproving certain proposed amendments to Chapter 23 of the Code of Virginia and its implementing regulations, OSM proposes to remove condition "r" of the approval of the Virginia program.

## Additional Determinations

1. *Compliance with the National Environmental Policy Act:* The Secretary has determined that, pursuant to Section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. *Executive Order No. 12291 and the Regulatory Flexibility Act:* On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is

exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. *Paperwork Reduction Act.* This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

## List of Subjects in 30 CFR Part 946

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: April 20, 1983.

Carson W. Culp, Jr.,

Acting Director, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 83-10951 Filed 4-21-83; 9:40 am]

BILLING CODE 4310-05-M



**U.S. GOVT PRINTING OFFICE**

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**Friday  
April 22, 1983**

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**Part IX**

**Federal Election  
Commission**

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**Communications by Corporations or  
Labor Organizations**



**FEDERAL ELECTION COMMISSION****11 CFR Part 114**

[Notice 1983-10]

**Communications by Corporations or Labor Organizations****AGENCY:** Federal Election Commission.**ACTION:** Withdrawal of regulations from Congress.

**SUMMARY:** On March 1, 1983, the Federal Election Commission transmitted revisions of 11 CFR 114.3 and 114.4 and certain amendments to §§ 114.1, 114.5, 114.7 and 114.8 to Congress for legislative review pursuant to 2 U.S.C. 438(d). These regulations address communications by corporations and labor organizations to their solicitable class as well as to the general public. The Commission has decided, however, to withdraw these regulations from Congress to permit further public comment on certain issues. The

Commission intends to transmit a new set of rules when the comment period has run.

**EFFECTIVE DATE:** April 21, 1983.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan Propper, Assistant General Counsel, 1325 K Street, NW, Washington, D.C. 20463, (202) 523-4143 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** The Commission transmitted revised regulations governing communications by corporations and labor organizations to Congress on March 1, 1983, in accordance with the legislative review provisions of 2 U.S.C. 438(d). (These regulations were published in their entirety on March 4, 1983, (48 FR 9236)). Under section 438(d), the Commission may prescribe regulations if neither House has disapproved them after 30 legislative days.

The Commission has decided to withdraw the regulations from Congress in order to seek additional public

comment on these regulations, in particular on the issues relating to the class of people solicitable by labor organizations and incorporated membership organizations. Since these issues appear throughout the regulations, the Commission is withdrawing §§ 114.3 and 114.4 and the amendments to §§ 114.1, 114.5, 114.7, and 114.8 in their entirety as published on March 4, 1983 (48 FR 9236).

The Commission is publishing today a Notice of Proposed Rulemaking to seek public comment on these two regulations. After the conclusion of the public comment period and further Commission consideration of the proposals, the Commission intends to transmit the rules to Congress for legislative review.

Dated: April 21, 1983.

**Danny L. McDonald,**  
*Chairman, Federal Election Commission.*

[FR Doc. 83-10996 Filed 4-21-83; 12:00 pm]

BILLING CODE 6715-01-M

**FEDERAL ELECTION COMMISSION****11 CFR Part 114**

[Notice 1983-11]

**Communications by Corporations and Labor Organizations****AGENCY:** Federal Election Commission.**ACTION:** Second notice of proposed rulemaking.

**SUMMARY:** The Commission seeks public comment on proposed revisions to 11 CFR Part 114 which would add executive and administrative personnel to the class of persons who may be solicited by labor organizations. A second set of revisions to Part 114 would add families of members to the class of persons who may be solicited by incorporated membership organizations, trade associations, cooperatives and corporations without capital stock. These revisions were transmitted to Congress for legislative review as part of a general revision of 11 CFR 114.3 and 114.4. The Commission has now withdrawn those regulations from Congressional consideration pending the receipt of comments on this Notice.

**DATE:** Comments must be received on or before May 23, 1983.

**ADDRESS:** Susan E. Propper, Assistant General Counsel, 1325 K Street, NW., Washington, D.C. 20463.

**FOR FURTHER INFORMATION CONTACT:** Susan E. Propper, Assistant General Counsel, (202) 523-4143 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** On March 1, 1983, the Commission transmitted proposed revisions of 11 CFR 114.3 and 114.4 and certain amendments to §§ 114.1, 114.5, 114.7 and 114.8 to Congress for legislative review under 2 U.S.C. 438(d). The text of these revisions was published in the *Federal Register* on March 4, 1983, (48 FR 9236). The Commission has now withdrawn these regulations from Congressional consideration, however, pending additional public comment.

The Commission requests public comment on the proposed regulations, particularly with respect to the proposed inclusion of executive and administrative personnel within the restricted class of labor organizations and the proposed inclusion of families of members within the restricted class of corporation such as membership organizations, trade associations, cooperatives and corporations without

capital stock. These proposed changes would permit partisan communications to be made to such persons under 11 CFR 114.3 and would also permit those persons to be solicited for contributions to a separate segregated fund under 11 CFR 114.5, 114.7 or 114.8 as appropriate. The language of the proposed revisions is set forth in the Commission's March 4, 1983, *Federal Register* Notice cited above.

Further Commission action, including a second transmittal of sections 114.3 and 114.4 and amendments to sections 114.1, 114.5, 114.7 and 114.8 to Congress, will be taken after the comment period is concluded.

**Certification of No Effect Pursuant to 5 U.S.C. 605(b) (Regulatory Flexibility Act)**

I certify that the attached proposed rules will not, if promulgated, have a significant economic impact on a substantial number of small entities. The Basis for this certification is that no entity is required to make any expenditures under the proposed rules.

Dated: April 21, 1983.

Danny L. McDonald,  
*Chairman, Federal Election Commission.*

[FR Doc. 83-10997 Filed 4-21-83; 12:00 pm]

BILLING CODE 6715-01-M



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Friday, April 22, 1983

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**AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK**

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.) Documents normally scheduled for publication

on a day that will be a Federal holiday will be published the next work day following the holiday.

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	

**List of Public Laws****Last Listing April 19, 1983**

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the *Federal Register* but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (phone 202-275-3030).

**H.J. Res. 80/Pub. L. 98-20** To authorize and request the President to issue a proclamation designating April 17 through April 24, 1983, as "Jewish Heritage Week". (Apr. 19, 1983; 97 Stat. 64) Price: \$1.75

**H.R. 1900/Pub. L. 98-21** Social Security Amendments of 1983. (Apr. 20, 1983; 97 Stat. 65) Price: \$4.75